

## Closed Caption Log, Council Meeting 06/14/12

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>> Mayor Leffingwell: Good morning. I'm austin mayor lee leffingwell. We'll begin today with the invocation. My mic is not on? Test, test, test, test, test, test, test. time certain a postponement will be requested. Item number 54 is withdrawn. Items number 56 and 57 at time certain, a postponement will be requested. And item number 58 at the time certain, a request to change that to a time certain will be requested. Items number 59 and 60 at time certain, a postponement will be requested. Our time certain items for 30 or after we'll have our morning briefing. First an update on formula one staffing and then a briefing on the airport boulevard code. 00 noon our citizens communication. or after we'll take up our zoning matters. or after we will recess the meeting of the austin city council and convene a meeting of the austin housing finance corporation. or after we'll take up our public hearings. 30 we have live music and proclamations. The musician for today are the midgetmen. The consent agenda for today is items 1 through 26 with the following items pulled off the consent agenda. Item number 1 is pulled by councilmember tovo. Item number 6 by councilmember morrison. Items 15, 16 and 21 pulled by councilmember riley. That item will be heard at a 2:00 p.m. time certain. Or after. There are no items pulled off consent due to speakers. We have several speakers signed up to speak on the consent agenda. First is stewart hurst. Stewart hurst not in the chamber. Harry savio. Harry savio not in the chamber. Oh, there he is. Coming up on the right. You have three minutes.

[10:15:00]

>> Good morning, mayor, my name is harry savio, I work for home builders of greater austin. Our members build approximately 95% of the homes built in the greater austin area. There are few associations more affected by the fee increases of staff on items 7 and 8 that are on the agenda. Let me begin quickly with a positive statement. The members that I've had a chance to poll the response has been if we know that the fee increases are going to be used to cut our wait time, expedite processing and implement efficiency, we are supportive. If the increases must be tied to performance standards we would be more enthused. It is disappointing there is little or no opportunity to do any meaningful fee analysis with this proposal. For example, the cost of service study, we have only been able to see in the summary form that was in your packet. And there are some things that would cause us to have questions. I have for you a handout. If I can is -- [audio difficulties] one last point. One of the things that you'll see in austin is you have extraordinary effectiveness and efficiency on the part of the building inspection field staff. And part of that is because austin inspectors have multiple certifications so that an inspector in austin can go on to a job do a framing rough, electrical rough, plumbing rough-in all in one trip. It would be even better if the city would compensate accordingly with those folks who have multiple certification being appropriately rewarded and if a portion of these fees could be used for that we think that would be a good thing. If wait times would be cut interest savings alone can more than make up the costs. Going forward we much prefer to partner and be adequately informed as opposed to or having just a few days notice. And without supporting documentation

that really still hasn't been provided. Again, we would really like to know the details behind that cost of service study and we think it's worth analysis because as I've shown in my handout there's already a large disparity.

[10:18:10]

>> Mayor Leffingwell: Question for you, mr. savio. Councilman spelman.

>> Spelman: It looks like the city is making money off building safety between a million and two million dollars.

>> That's correct.

>> Spelman: But we're losing similar amounts on

[inaudible].

>> That's correct.

>> Spelman: When you add the two together basically

[inaudible].

>> The problem is, councilman spelman, there are different people who would take out a building permit as opposed to someone who would take out a development review permit. And it may even skew the management decisions that are made relative to land development and land development issues. And I say this knowing that my members also do land development. And some builders do both. For example, my remodeling contractors don't. And so this introduces a disparity or accentuates a disparity. I'm not saying don't hire staff. What we're saying is if this is what it takes to get those staff hired, because anyone who -- I can't imagine a city council hasn't gotten an earful from someone trying to get a permit. I don't mean just by members but homeowners. And so if this is what it takes to get it done, then we're supportive. But again on a go forward basis, but we're asking the budget office or whoever comes up with it to not just take the easy step which is let's do a 25% across the board increase, to go back to the actual cost of service, but I would guess that it would say building permits, you are charging more than what you should. And on the land development side, you may ought to need to charge more. Now, again, what my industry would say is maybe you are doing too much on the land development side. Maybe you need to give more and that gets into a very long discussion on efficiency. But we think there is much that can be done in terms of efficiency. We would like to be partners and acting and helping and engaging because on the building inspectors I think there are things that really need to be done to better recognize what those guys do. Again, I scream at the building inspectors all the time. That's part of my job. But on the good side, I mean there are things that they do that are not done in any other city in the state. And again, that's just some issues in the cost of services.

>> Spelman: Sometimes that's a good thing.

>> It is.

>> Spelman: So the general message of this, it looks like there may be some subsidy by horizontal developers -- by vertical developers. Horizontal developers are getting by with less --

[10:21:01]

>> that's correct.

>> Spelman: And vertical directors which most of your members are paying most of your members on paying

[inaudible].

>> And this accentuates that and makes it worse. And so I guess what I'm trying to do is lay the ground work that next budget cycle when I come up here and say we need more inspectors or people in the permit intake section, that needs to be weighed against the fact you could have paid for those guys right now with the excess revenues that division is generating.

>> Cole: Mayor, I have a couple of questions.

>> Mayor Leffingwell: Mayor pro tem cole cole savio, I carried this item that is now being reflected in staff's hard work so I want to make doubly sure that in light of the earful that I have been receiving for several years from the real estate community and their desire to speed things up and also contribute to that process with the city that I understand fully what the concern is still and how we can rectify it. So when you talk about the of service study that you have not seen, what would you expect to be in there that you haven't seen?

>> My understanding, and I've gotten a verbal briefing on the cost of service because I thought this was a -- I thought the fee increases were going to be done in conjunction with the budget cycle. I wasn't planning on sending in a freedom of information request, but my understanding of what the cost of service study would do and the cost of service study I have seen in the past, I know they have interviewed staff and say how much time do you spend and they take the total departmental cost and allocate those on each kind of -- or each grouping of inspection activities. So in my group, for example, residential inspections and commercial inspections, and then determine how much -- and in your summary on page 3 of the supporting documentation, it says approximately 57% of the fees are currently spent below the cost of service fee and 43% are set above the cost of service. And so I guess what I'm trying to say, please don't take what I'm saying today is we are opposed. I signed up for, I'm speaking for. They need the staff. If anything I said would result in a delay in hiring that staff, I take it all back.

>> Cole: Okay. Good move.

>> But what we're saying is is, you know, this -- there are problems, there is issues in taking this wholesale willy-nilly kind of approach to raising fees and it shouldn't be done and it was recommended by your consultant. So perhaps in the next fiscal year or perhaps a year from now,

but as time goes by, we would like to as proactive supporters, we've gone to the city of georgetown, oftentimes you will see me standing in front of city council saying please raise our fee, but use that money to go hire staff. And our industry recognizes that you got to have good trained professional staff and you have to have them on board doing things. Probably the best example of a real challenge is in what I'm going to call the McMANSION ORDINANCE. I forget the all name for it. But that was something that introduced a huge workload, but there was not a separate fee associated with that. We were told at the time by a councilmember no longer here that if need be that we would go hire an architect to review those plans, and yet that has been a huge topic in the flow of work -- stoppage in the flow of work. There are a lot of things that could be done. I know I'm taking way too long to say --

[10:25:08]

>> Cole: Let me just ask you to work with us and some of the other stakeholders that were involved and professional staff and make sure that going forward this big step that we are making that you support and others support, that it actually yields enough of the result that we are anticipating.

>> Thank you.

>> Mayor Leffingwell: Thank you. Next speaker is robert vasquez. Robert vasquez. Ti know. Robert is not here. Stewart hurst.

>> I apologize for my tardiness, mayor and council. Stewart harry hurst and like most in austin I rent as a consultant who deals with plan review and inspection regularly and as a former city employee who worked and performed services more responsibly without a fee increase, I'm here to support increasing staff as recommended to you today but not to increase building permit fees to do so. If you pass these fee increases today, will you raise building permit fees beyond the services you intend to provide and provide currently a subsidized review activities and site inspections where the fees you charge do not and have not historicry covered your service levels. The case law I reviewed is one of your long-time employees 30 years suggests that anyone who would challenge these fees would prevail in court and you would eventually either have to reduce fees or increase staff to higher levels. This is apparently a risk your consultant has not considered and why is this happening. You are making a decision based on decision not available and reviewed bee by the public. You've been told our building permit fees are lower than other cities and that's true because fees are based on cost of inspection rather than dollar valuation for new construction. It doesn't cost more to inspect a metal roof that costs three times as much as a shingle roof. It's all the same inspection. For more than 30 years austin has based its building permit fees on the size of the building and its use. Houses are more complex than m warehouses. If your consultant had talked to stakeholders who understand this, you would not have received bogus information and inappropriate recommendation on building permit fees. You've been told the fees have not been raised since 1993 and this is only partially true. The fees you used to charge in 1993 have not been raised, but new fees have been added. And believe me they are not waived. We now pay a \$350 monthly fee for a temporary certificate of occupancy for the privilege of enhancing nonlife safety elements for projects such as delaying landscaping during the hottest months of the year or completing or enhancing our green building elements. We have

to hire third party inspectors to check our building for energy performance when this used to help us get a four star energy rating. The public was told when you passed commercial design ORDINANCE IN the McMansion ordinance there was no staff that needed to be added. The backup for these items is still on your website but more complex regulations require more time to review and inspect, result in more failed reas soon as inspections and you never budgeted for this in the past. Actually smaller houses produce less fee revenue and less property tax over time. So if staff had been accurate, you would have been told that your general fund revenue would decline and your costs of review and inspection would increase. Please [inaudible] this when you adopt the budget this fall. I know the train has left the station and my words won't result in any change in what you are planning to do but you have a chance to get it right in september.

[10:29:10]

>> Mayor Leffingwell: I'll entertain a motion to approve. Councilman spelman.

>> Spelman: Mayor, I'll second, but I do have a question of staff.

>> Mayor Leffingwell: Is there a motion? Mayor pro tem made the motion to approve. Seconded by councilmember spelman.

>> Spelman: I have a question of staff. Is there someone who can address the comments?

>> Greg guernsey, planning and redevelopment department.

>> Spelman: The 11 new full-time positions are going to be mostly inspectors, mostly plan reviewers, what section?

>> They will be within two departments. It will be austin fire department and the planning and development and review department. Three of those positions would deal with commercial plan review. These would be the people that would view the plans, anything from a three-unit apartment to 300-unit apartment, hospitals, schools, manufacturing facilities. Basically most all the commercial development that you would see. Two of the positions would be in residential plan review. That would be looking at one and two-family dwellings, basically duplexes and single-family homes. Three would be inspectors that would -- building, electrical, plumbing. Electric actually does inspections both for residential and the commercial plan review side of this. And their accompanying vehicles would be included. Another person would be in our development assistance center. They are the first place where a property owner or a tenant or somebody comes to the city or even a neighborhood would like to find out about development that may be occurring on or near their properties or how to develop their properties. Two other positions would actually be assistants with support with my department so as changes are made to the code that we can make our response back to the development community or someone filing for an application more transparent so they can see their applications being processed. The three positions in the fire department directly relate to review of plans both site plans and commercial building plans for review. And together these 14 positions would enable us hopefully to make our measure, our performance measure that is dictated by our budgeting system, and right now we're not making that.

>> Spelman: Let me simplify that. If based on Harry Savio

[inaudible] operation is two pieces, basically inspection and basically development. And it looks like you are adding three inspectors and five, six -- six people in development review, two i.t. People [inaudible] providing services for the entire department.

[10:32:09]

[Inaudible].

>> Most of these positions would address the vertical construction more than horizontal. The development assistance center would address both vertical and horizontal as it comes in. And some of the fire also looks at site plan which is more horizontal than vertical. Most of those positions would be just the vertical though.

>> Spelman: How would you address -- if our rates are based primarily on cost of service, and how is it that

[inaudible] that our horizontal developers are being subsidized by the

[inaudible]?

>> I think that has to do with most of the permit fees coming in are actually the building permit fees. Subdivision fees which were not reviewed as part of the study. Site plan fees do contribute but the majority with the building permits so Savio is correct this that regard. In our analysis of this and working with our consultant, our goal is to be the cost of service. One thing that's really not spoken here is that when we get out to year 3, we will do another analysis because one of the foremost recommendations of the consultant in working this is actually to establish a fee policy and that's why the majority of the fees have not been analyzed in the last 19 years

[inaudible]

>> Spelman: I'm sorry, what is the primary reason we haven't for 19 years?

>> We don't really have a fee study or a fee policy within the department. So going forward we now are establishing that we're going to look at these about every three years. There's second half of our fee study that we would look at those subdivision related items, those subdivision fees and inspections. That would be the next part that we'll be looking at next year. I've also indicated to Savio on behalf of the home builders and also the real estate council and remodeling, we'll get back with them in nine, ten months so they can look at my performance measures and have basically a discussion about how far we've come since this date. And also that I will not be asking for any fee increases or these re Duncan positions too these positions in the upcoming budget that you will see later.

>> Spelman: You were talking about in year 3 plans, so actually you have at least a three-year plan for [inaudible] necessary in order to [inaudible].

>> That's right. We would come back and do another analysis of our fees. The positions that you see today are not calculated into our cost of service and so that will make a difference when we go back out.

>> Spelman: So going forward we should expect to see in the [inaudible] subsidy of horizontal by vertical could be

[inaudible] based on real cost of service.

>> Based on our fee study we'll probably do next year because we'll be looking at the more horizontal development, subdivisions

[10:35:09]

[inaudible]. And this the long run our goal is to do the cost of that service. That is our goal.

>> Spelman: Is the cost of service study going to be made public? Is there a reason why?

>> No, there isn't a reason why. We have just concluded earlier, last month the findings of that study and we shared some of that with you in executive summary. I've already told some of the agencies that I've met with that we're going to share the complete study so they will see that and it will be totally transparent. I'll also share that with mr. hurst.

>> Spelman: hurst and mr. savio and the others. This is going to be something we're going to be working on [inaudible] that would be a very good idea.

>> Thank you.

>> Spelman: Maybe put it up on the website and take a look at it.

>> Yes, we can do that. I can have that probably up by next week.

>> Spelman: That would be great. Last question for me at least. I'm presuming that you have -- well, you tell me, you have bench marks available that actually demonstrate if these 11 positions or these positions do what you expect them to do [inaudible] that you can show how much that did improve as a result of these 14 [inaudible].

>> It will take a little time but yes, we can make that information to these associations. There is a lag time between the time I hire, train and get them on board. I will say to address some of the bottle neck issues, I'm keeping the temporary staff that I've hired and allowing for overtime until the end of this fiscal year to assist in getting the applications through. With your approval of this item, then I will go forward and hire these positions as well so I can basically get the training element. There's a possibility some of the people that we've already employed may also be applying for those same positions. I would [inaudible].

>> Spelman: At one point, and I lost track and maybe you are actually sending this to us, but at one point I knew that your department had a quarterly report. It might have been a monthly report talking about

[inaudible] things like that. How long it actually took. Is that something you guys kept up with, you are still doing?

>> We still have those reports. We also have a development trends report that we post online and we'll continue to post those.

>> Spelman: So that monthly performance measure report is a monthly report?

>> Actually I don't know the frequency that comes out, but we can certainly get that information.

>> Spelman: So that would be a great thing.

[10:38:02]

>> Mayor Leffingwell: Okay, we now have one more speaker who has recently signed up. And council, you may notice that all these speakers are speaking on items 7 and 8. If these speakers had signed 45, this item would have been pulled off the consent agenda, but the consent agenda is set at 9:45. We'll still let you speak, but it remains on the consent agenda if you signed up after 9:45. You have three minutes.

>> Thank you, mayor. I don't have prepared remarks but I would like to share with council, I had an open permit for single-family residence in 2008 when McMansion was implemented. That open permit and the change in policy that came from McMansion regarding expired permits cost me two and a half years of my life trying to extricate myself from the city of Austin planning and development review department. It was horrible. You can probably see on my face here. Leon Barbara, the -- our chief building official, I asked him why the people with their development permits, a change in policy, why they didn't notify people at the time of the change in policy. He said because we couldn't handle the workload. It went through successive rounds. I eventually had to pay for new permit fees. It was one of the most stressful events in my life. So you know, I support additional resources in this department, but I also ask that you examine the operations there and how well that department is run and how they handle their work flow. Thank you very much.

>> Mayor Leffingwell: Thank you. I will say that this whole issue of permitting and development review has become a major problem. I'm committed to doing everything I can to try to correct [inaudible]. Significant hardship

[inaudible]. So with that there's a motion on the table and a second. All in favor of approving the consent agenda say aye. Opposed say no. It passes on a vote of 7-0. Now we'll go to our morning briefings. Fi is an update on formula one staffing. City staff [inaudible].

[10:41:04]

>> Good morning, mayor and council. Rodney gonzalez, deputy director for the city's economic growth and redevelopment services office. We've got a power point presentation that's loading up this morning. All right. Good morning. With me today are several staff from key departments with our planning efforts. That includes the austin police department, the austin fire department, the emergency medical services department, and the transportation department. Today's presentation is going to go over the city's planning and preparation efforts being made for the november 2012 formula one race. I'll take a few minutes this morning to cover some of the background of the facility that will host the formula one race and the race itself to give the public a sense of the size and the scope of this project. This background will include the circuit of the america's track and facilities, the formula one projected attendance and economic impact, and the city's efforts to prepare for the formula one events. I'll then go into specific updates for this project including a recap of major announcements made by circuit of the americas and the elements that go into that plan, accomplishments and work in progress in those key areas, and then formula one related events that will occur during the week of the race. And then open it up, of course, to questions and answers. First let's start with a conceptual rendering of the track itself. 4-mile circuit track. There are 20 turns within the track and there's an elevation change of 133 feet. Towards the middle of this picture you'll see the amphitheater. The amphitheater can hold and accommodate up to 20,000 people. The next largest size is the cynthia woods pavillion at the woodlands which hosts 17,000 people. There's a slightly larger amphitheater in dallas and that holds 20,111. So you can see that the amphitheater been the second largest in the state. Additionally towards the middle of that picture you'll see the media and conference center. During the race events there are estimated to be over 1200 media that will be in austin to cover the formula one race events. So this 40,000 square foot facility will house those 1200 media from around the world. Just above the media center is the pit/paddock building. The lower level of the buildings are for the race cars themselves. The upper level contains 5,000 premium seats and suites. And then directly across from that is the grand stand. The grand stand holds 9,000 permanent seats and overlooks the start and finish lines. Another conceptual rendering and this is looking from turn 1 which is the austin turn. To the far right you can see where downtown austin is and a clear day you can see the skyline. There's the medical center. A 5500 square foot state of the art facility. Two helicopter pads, a burn shower center, six beds and two resuscitation rooms within that facility. This view is looking down from turn 1 which is also called the austin turn. You can see the pit/paddock building to the left and the main grand stand to the right. Very quickly about the track itself, it is situated on on 1,000 acres in southeast austin. The driving distance is approximately nine miles from the airport entrance and approximately 14 miles from downtown. It is the first purpose built grand prix facility in the u.s. Not since the final 1980 formula one race in watkins glen has there been a dedicated race track for formula one. As I mentioned before this 4-mile circuit track, 20 turns with an elevation change of 133 feet. A 40,000 square foot media conference center, 5500 square foot medical center. The medical center or the formula one medical steven ovey. He's an associate professor of neurology and neurosurgery at the university of miami. And the assistant medical carlos brown. He is the trauma medical director for brackenridge. Additionally there is a 20,000 person capacity amphitheater. So in terms of economic impact for the track and for the site itself, the estimated construction cost is \$400 million. It's estimated approximately 1700 construction jobs will be created. 300 Permanent jobs will be created and 3,000 seasonal event specific jobs will be created. Currently cota is advertising for those jobs which include accounting and finance, events staff, retail concessions, sales and marketing and technical positions. All told annually the

facility is expected to draw 2 million people per year to the city of austin and circuit of the america's events during the year, events such as formula one, super cars, american la mans, motor sports clubs, concerts and foot and bicycle races. With regard to the formula one grand prix itself, the event will attract up to 300,000 visitors. It's estimated 80% of those visitors will come from outside the state of texas. 120,000 Fans are expected to be on site attending the race. 42,000 Or 35% of those fans will arrive via international flights. Other attendees include 2400 race car drivers which is 100 per race team, there are 24 teams. 600 Formula one staff, 1100 out of state media, and 150 media from other texas markets. So what that means locally is that there will be a estimated 189,000 hotel room nights sold a majority of which will be in austin. In terms of revenue to the city, and this is computed from last year's economic impact study, that's 7 of sales 6 million is hotel occupancy which is restricted use. \$245,000 In mixed beverage taxes and 51,000 in car rental taxes which is restricted use as well. Moving forward to major announcements, circuit of the america's did hold track inspection by the federation international automobile race director who is charles whiting. Inspected the track and made positive comments on JUNE 12th. He made positive comments about the progress and he will return on september 25th approximately 60 days before the race occurs. Formula one has formed a host committee comprised of 50 community leaders from throughout the region and they will serve as regional ambassadors. Circuit of the america's has partnered with 90 area hotel and local nonprofit hotels for hope. Turns hotel bookings into charitable contributions. For every hotel night sold, the hotel -- the 90 hotels will donate one dollar for every room night and hotels for hope will donate an additional one dollar. The two nonprofits that will benefit from that are the austin partners in education and the austin area boys and girls clubs. Circuit of the americas did announce a volunteer program, that was announced on june 6. They anticipate 1,000 volunteers for areas such as customer service, way finding, ushering, transportation and welcome center. And on june 10th circuit of the america's initiated its ticket sales, three day general admission price is \$159. The grand stands range from 269 to \$499. And most recently circuit of the americas did name mario andretti as the official ambassador. So getting more to the planning side in laying this out in a calendar format, you will see, of course, november 12 is the veterans day holiday. The majority or all of the teams of formula one arrive on tuesday, november 13. The majority of fans will ARRIVE ON NOVEMBER 15th. There will be two practice rounds each on friday and on saturday including a qualifying race on saturday and then the race itself will be on sunday. That monday the race teams do depart because that next weekend is the final race in brazil and most of the fans will be departing. And, of course, we have the thanksgiving holiday thursday and friday and then a [inaudible] game on saturday. So getting on to the city's planning efforts on january 18 the city manager did form a core team and planning team, assigned two executive sponsors, assistant city manager sue edwards and deputy city manager sue edwards. The city manager assigned myself as project manager. We have since developed a planning structure and group leaders for various areas. We have developed counter part team structures for travis county and for circuit of the americas and we've established joint meeting schedules between the three organizations and other agencies. So to give you a sense of the local, regional, state and national agencies that are involved in the joint planning, we've got the city of austin, we've got travis county, we are reaching out to regional cities and counties and agencies. The circuit of americas, we've got capital metro on board, the texas departments of public safety and transportation, the federal aviation administration, federal homeland security state department as and the austin regional intelligence center. There are a number of agency from the local on up to the federal level involved in this. With regard to specific teams that have been developed, we've got teams

of public safety, transportation, special events, hospitality, legal, sustainability and economic development. I don't have to remind you of the economic development importance of this particular event. There will be a number of s that will attend and we intend to capture their attention. Moving on, in terms of transportation management, the objectives have been to transport the fans and media and sponsors to and from the circuit of the america's facility with minimal disruption to local homes and businesses. We intend to inform and assist local residents and businesses with options during this time period as well as ensure the functional flow of traffic during the event. From the scope, there are communications and public relation plans, plans for internal signage, plans for on site and off site parking, parking permits, limousine parking, helicopter operations, command centers, roadway improvements. A lot in regard to transportation and traffic management. Some key site information related to that are that the circuit of the america gates 00 every morning friday and saturday and 7:00 on sunday. There are 17,000 on site patron permit parking spaces in 13 lots. Just so council will note, those parking choices or how the fans determine how to get to the site is being captured at the ticket. Every parking space permit requires that you have at least four to six personal seat licenses in regard to carpooling. Circuit of the americas is actively encouraging patrons to use bus shuttle system which I'll get to in a short while. There are seven internal entry gates and two internal pedestrian bridges both at turn 3 and at turn 15. With regard to key travel information, there are two parking lot locations that are being paid for completely by circuit of the americas. The cost for the shuttle is being embedded as part of the ticket price. Those park and ride locations are at travis county expo center and downtown austin north of waterloo park. It's anticipated 72,000 patrons will be shuttled from those location. For those who do decide to drive to the site and happen to get a permit parking space, vehicle drive times 2 hours to 14 hours and those hours are reflective of the times and and 6:00 p.m. Circuit of the americas will utilize [inaudible]. There is a bicycle route that has been developed which ends at richard moya park and will are direct shuttle service. That shuttle is free of charge. There will be on site showers and well as

[10:54:57]

[inaudible] for those who choose to [inaudible]. And now I want to turn it over to assistant chief david carter who will go over the public safety elements.

>> Good morning mayor and council. Real quickly just to go over the overall objective for public safety and also I'm going to drill down about 's role and collaborative effort with our partners. When you look through the slide, specifically the bottom line we want to assure homeland security issues are addressed, that crowd management concerns are addressed. Obviously 300,000 folks coming into town, that's pretty significant. We're not only talking about the venue itself but all the venues and special events, road closures and other related things in the downtown area and other parts of the city. Also it's really important to discuss is emergency traffic be management and that's the purview of the police. In other words, basically to facilitate and make sure transportation traffic management plans work. In other words, if there are crash that's are occurring on a major corridors or roadways, apd can clear roadways as quickly as possible. One of our primary objectives is look at the issues of tourism based policing which is a concept when you are dealing with a lot of international visitors and visitors from outside your region, have you to understand issues that may occur such as language barriers or cultural

differences. We're looking at that issue. And then finally primary objective is to ensure there's sufficient service for those not attending the event or don't want to

[inaudible]. And additionally getting ready. The way we see this event there are three basic areas of responsibility from law enforcement that have to be addressed. The venue itself which is currently being managed by travis county sheriff's office, they are responsible for the security at that particular event. However, they will need friendly from time to time. The second area of responsibility is what i mentioned on emergency travis county management. The corridors between the site itself and downtown venues where hotels are, our job is to make sure that transportation corridor remains open and traffic flows as much as possible. And then the fifth area -- I'm sorry, the third area of concern or area of responsibility is the downtown area for all the events that are occurring pre-race and post-race. These are connected in that fashion. Just to give you a little bit of some of the operational issues that is currently looking at, is that we see this much the same way we saw south by. In other words, this is a department-wide operation. The entire police department will be going to alpha bravo or modified so we have sufficient on duty resources to address any potential thing that comes up. Officers that may be in plain clothes will be working in uniform able to respond to emergency situations that may develop as well as we're looking at 12-hour shifts. Command and control is a big issue so what's happening we are opening the department operations centers at the -- to address issues that emerge whether that be a crash on i-35 that object structures traffic or some other kind of issue developing the night before the race, after the race downtown. So we're working with department operations center as well as the emergency operation center where we'll have the good collaboration between all the other partner agencies, both law enforcement and other public safety and transportation departments. And then finally I'll mention the issue of collaborative effort. For example, here today we also have commander ortiz in the audience but one of the key things for us is that collaboration for working well with travis county sheriff's office as to keep these roadways open because we are involved in multiple jurisdictions so collaboration is key. I'll turn it back over.

[10:59:41]

>> Thank you, chief carter. Next we'll move on to major accomplishments in the different areas starting with transportation. Of course, our city staff has assisted with draft transportation plans. We have secured additional support from the federal aviation administration. They have committed one and up to two individuals from to assist with operations. We've conducted joint customs, transportation security and airport. And as I mentioned before, we have developed the route locations for the park and ride both downtown and at the travis county expo center. In terms of work in progress, travis county recently approved 2 million to improve area roadways which include McANGUS, ELROY AND KELLUM Road. We are continuing to meet with regional municipalities and counties to discuss transportation plans and issues that might come up. And we are reviewing plans for camera placement for traffic monitoring. On june 28 the airport director is bringing an item for council to consider -- consideration for temporary terminal to accommodate large and direct international flights. And I just want to show you very quickly a rendition. This is not to scale, of that temporary facility. It is 25,000 square feet. There will be two inbound ba carrousel and that will accommodate up to 400 people per hour. Currently the airport can process 90 to 120 people per hour. The staff that is on site anticipates their existing staff will be sufficient as well as the facility will be air conditioned, lighted, there

will be restrooms and a public [inaudible]. In terms of public safety, some major accomplishments there. There have been a number of direct service contracts that have been approved for fire, emergency medical service, air medical service and law enforcement. In terms of fires there will be 50 firefighters from travis county on site at the facility utilizing several fire engines, brush trucks and rescue trucks. The contract for that service is \$77,000. will provide ambulances and paramedics on site. The only contract 52,000. Starflight will provide one helicopter on site and one on standby and the cost for that is \$375 per hour. And the travis county sheriff's office is coordinating the on site public safety requirement and utilizing 200 officers, the majority of which will be off duty for staffing and parking support. And that contract is approximately \$200,000. In terms of work in progress, we are continuing to work with circuit of the americas and travis county sheriff's office to finalize public safety plans. We're finalizing the organization structure for the command post that chief carter mentioned and we're developing training with the state department on how to work with dignitaries as well as developing

[inaudible]. With regard to the other planning teams we are preparing for the global media inquiries. There are going to be 1200 local media on site during that week. We're developing a formula one website to disseminate a lot of this information to the public including roadway closures. In terms of hospitality and marketing we are working with circuit of the americas in terms of welcome centers. And for special events and code compliance and permitting we are fielding a number of inquiries for that time period for special event permits and I'll go over the two that we have received so far. We are researching best practices to improve the administrative processes for permitting and we are looking at reconfiguring an office suite at one texas center for special events teams that will be housed. So next to the last slide, formula one related events. There will be a couple of events precede the formula one event. This weekend is formula expo which will showcase a lot of the technology that goes into the formula one race vehicles. That will be both saturday and sunday of this weekend. Circuit of the americas will host shift into style and during the race there will be a couple of downtown festivals. One from circuit of the americas itself and another festival called formula fest. There will be other events. Formula austin, that's being provided by [inaudible] and we have gotten a number of inquiries from various car clubs to provide spaces for car club showcases. Those are just two of the events. We're getting a number of inquiries. So council, as I mentioned before, there are a number of staff here available to answer any questions you might have. Thank you.

>> Spelman: Mayor, it looks like you've thought of everything, but let me ask you the basic question, how is it that you know you've thought of everything?

>> How do we know we've thought of everything? Well, the good thing is there's a lot of people thinking. There are. The city of austin, travis county, as I mentioned, all of these federal agencies involved, circuit of the americas. Circuit of the americas brings a lot of experience to the table. They've got a number of staff. They dealt with the olympics, final fours, a lot of premier experts and they are -- they are coming to the table with a lot of

[inaudible]. But there are a lot of people thinking.

>> Spelman: It's very much in this their best interest for this to work smoothly and our experts are aligned with theirs as far as this is concerned.

>> Yes, we need this to be a successful event. Us a know, this is a ten-year event. The way that we feel year one is going to be very

[inaudible] as to whether or not will be successful.

>> Spelman: My guess is you go through the number of people who are actually going to be on site from the fire department to e.m.s. And the police department, travis county sheriff, seem to me like you are overbuilding slightly like you are being cautious just to be sure we've got enough people available and in future years we may not need quite so many. Is that accurate?

>> That's very accurate. The vice president for security and operations on the track site tends to do that. He wants to ensure that this is a very safe event. And what they do in future years, of course, will be predicated on that staffing.

>> Spelman: The other thing that intrigued me is the notion we might actually have need for an international terminal to accommodate large direct international flights. Do you know something we don't know?

>> Actually jim smith is here and he can talk to you about the number of inquiries that have been made with regard to charters that are going to be flying into the austin airport.

>> Spelman: I see him coming this way and I will give him that question.

>> The short answer is we don't know a whole lot about charters. The reason for that is they are only required to give you notification 30 days in advance. So we're not going to know until a month before the race exactly how many charters will be showing up. We do know based on experience of indianapolis who hosted formula one in the past they ended up with six to 11 charters depending which year it was. You are pam with our facility to know -- familiar with our facility processing one 747. We are not constructed to accommodate a 747 coming in with 400 passengers or SEVERAL 747s LINED UP. So the only way that we'll be able to process those types of numbers is to construct a temporary terminal, and there are a handful of companies around the world that specialize, use them for the olympics, for the world cup. Heathrow has a temporary terminal up to process athletes for the coming olympics in august. So it's a common feature that airports use for temporary fixes. Our particular case we're probably going to leave this up to five years considering this is a ten-year event and while it's up we will be constructing a permanent facility that will be large enough to handle that type of activity. We could have avoided putting up the temporary facility by telling charters you can't land in austin, you are going to have to land in houston or dallas. But we're conscious of the fact that austin is trying to build its brand image on a interpret basis and the only way to do that is by handling those people directly in austin. So the airport is going to have to make the investment and it's going to be substantial to get this up and running and be able to handle guests that will be arriving.

>> Spelman: Apropos that. That's the first experience a lot of these international visitors are going to have of austin is going to be inside this temporary facility. What -- can you tell us anything about what the facility is likely to look like and what kind of impression it's going to leave?

>> We actually are having our meeting at Siemens next week and they will be coming with a couple of options. We are on your agenda on the 28th and I would like to come in after we've had a meeting and we have a concrete idea of one, the cost, and two, what it's going to look like.

>> Spelman: I'll look forward to hearing about both of those things.

>> Jim, I had one followup. I'm sorry. So we receive calls in our office and I don't know what extent we have regulatory authority over this, but there are some local entrepreneurs looking at this event as an opportunity specifically as it relates to air shuttle service for some of the higher-end folks that will be coming to town. Has anyone contacted your office about that? We don't know where to direct them and they are asking us questions we've never heard of before like where do we land a helicopter in downtown.

>> There's a lot of helicopter inquiries and apparently the people that have a lot more money than us don't like to mess with us on the road because they like helicopter transportation. So there's a lot of inquiries. Cota is accommodating that by building a landing pad on their site. The airport is negotiating with the national guard and other entities where we could land a helicopter at the airport. The biggest unknown is downtown of identifying locations where it would be safe to land helicopters. And then there's a permitting procedure where the airport has to approve the use of that facility. Nobody has filed for a permit yet. There's been a lot of inquiries. We've advised them what the process is, but nobody has actually entered the process yet. My guess is this is going to be typical of the last minute, you know, 30 days before the event, 60 days before the event we're going to get a lot of applications. So really all it is right now is preliminary feelers but nothing concrete.

>> Martinez: So if someone contacts our office can we ask them to call you?

>> They can call us at the airport, our air operations group is the one who likes to be doing the permits.

>> Martinez: So are there specific requirements that have to be met for a potential landing pad such as proximity to single-family residences, things of that nature?

>> And safety primary. gets involved to the degree if it's going to be more than ten trips which most of these are, has to approve it as well. And their permitting process is much more lengthy than the city's permitting process to get approval for more than [inaudible]

>> Martinez: Thank you, mayor. Colorado.

>> Cole: We've talked about long flights in the and international flights. I'm wondering what concessions have been made. Austin right now doesn't generate enough travelers to justify a nonstop international flight. We're getting close with one location. Other than that, we do not have the numbers generated locally to warrant that. So we have been working with the chamber of commerce, with their air service very hard on trying to attract an airline for Austin. My best guess that's probably at least two years away still, but we've had several meetings. We go by two

or three times a year with the delegation to meet with various airlines to try and convince them that that can work.

>> Cole: I thought this event might have moved that process further along. The last question that I have for you is this event this event is actually the week before thanksgiving which is our most heavily traveled time of the year. So what plans are you -- you are not going to be able to give anybody any time off, are you?

>> No, everybody has been notified there's no vacation during this stretch, but the most important message I can give everybody don't come to the airport the Monday after formula one. It's going to be a mess. Going to be very long lines. It's the Monday before thanksgiving, which would make it busy by itself and we're going to have 120,000 people trying to leave town. There's no way around the fact we're going to have long lines. It's a matter we're trying to come up with ways of managing that person's experience while they are in the line to try to make it as pleasant as possible.

>> Cole: Thank you.

>> We don't have enough buses in this area. Circuit of the Americas has had to reach out of the state to give you the scale of this magnitude. There will be 538 buses circulating from the two shuttle locations.

>> The actual travel time once you're on the vehicle will be roughly 40 minutes each way, but there will also be some -- there will likely be some queuing involved before you actually get on the bus. You didn't include a travel time for the bicycle route and I wanted to ask about that. I have made that trip myself a number of times now along with a number of folks from the city and the county and code co-da and -- code da and bike representatives, and going on trails, bike lanes. It is a beginner friendly route and it takes roughly an hour. It's roughly an hour to get there under your own motion with no waiting at all to get to a lovely pleasant park where there will be directions and then it's a few minutes from that site. Other folks have been working on that and in that regard I want to ask questions about sustainability officer, Billy G Athens. I know you mention /that had/(ed) that sustainability is one of the departments that has been mentioned in this effort and I just wanted to confirm with Athens that she has been working with the COTA folks on the compliance with the agreements that we have in place.

>> Yes, we have been collaborating very closely with the Circuit of the Americas and their officer who was hired back in so we've had a series of meetings on a variety of different topics. We've made good progress. I am expecting at this point given where we are that they will be meeting all of the requirements in the green term sheet. A lot remains to be seen, but I think things are going well. We have been talking a lot about some of the energy and climate related items on carbon offsets, establishing a methodology for analyzing the carbon footprint of the event and also the air quality impact. So we've been talking about what the methodology is going to be for that and those items are all in the green term sheet. They're also planting the minimum 800 trees that were in the green term sheet and the drought tolerant plant list that was mentioned. They've been working with their vendors on site for their food service for recyclables for their serviceware. We just started working on green visitor information to share with folks as they're coming to the city.

So we're making good progress. I do want to mention that there are several different components to all of this, one which is more planning, and that's what most of this presentation has been about. Some of it is on operations such as the vendors, but there's also things in the green term sheet about phase 2, which really hasn't begun yet, which would include things like the conference facility that's planned, some of the green building requirements. But that portion is about phase 2. We're working on an update that will be available and we'll also be working with circuit of the americas on tours and other kinds of educational events that will make it possible for people to learn more about what's going on.

>> Riley: Great. Thanks for all your efforts on that and we'll look forward to hearing more as we get closer to the event.

>> Thank you.

>> Mayor Leffingwell: Councilmember morrison.

>> Morrison: Rodney, your talking about all the events going on in the city, and I'm wondering what this experience is going to be like for people who live here that might not be really participating in the fl race. And you just mentioned, i think, southside. Is that sort of what we might expect in terms of the kinds of numbers of people flowing in to downtown and things like that?

>> I think you can anticipate that because all the hotels are going to be filled. So these individuals are going to be wanting to wander around downtown. They'll go to the festivals that are there, but they'll be making their way not just around downtown, but throughout austin and throughout the region. So I think you can anticipate a lot of that. So that's why we are actively going to try to get out as much information as possible. In terms of road closures, if terms of if you're a business that's downtown and you need to get your people to work, here are some streets you can use and things like that. We've engaged with 311 and 911 because those are usually the first people that get phone calls in terms of roadblock acknowledges. So that way they're aware and we're developing maps. As I mentioned one of the objectives in terms of transportation is as much minimal disruption as possible to our local residents and businesses.

>> Morrison: You might have something to add?

>> Councilmember, one of the things that we want to stress also is that based on our alpha bravo staffing that we did for south by this year was actually really successful in having enough resources on hand for those unexpected things. For example, there may be venues that are suddenly larger than anticipated and we need to move officers in that area to direct traffic or manage the issues there. So that's one of our core principles with alpha bravo was to have enough folks and resources to move quickly along with that center at the police department and say here's a problem or there's an issue here, let's move resources and get the traffic moving again.

>> Morrison: Yeah. I think we had a good example of how that worked at our last south by. So alpha bravo does that mean there will be two shifts?

>> Alpha paragraph row is 12 on, 12 offs. During a 40 hour work week we adjust the scheduling and we are tweaking the actual number of officers we want to have on duty on any given day. For example, that work week if a work week starts on shifts the beginning of sunday, the work week actually ends on saturday. In other words, the shifts begin on saturday. And we're staffing so that we have sufficient resources at the end of that week and the beginning of the thanksgiving week because that's when the bulk of that 300,000 will be there. We recognize there's some transition issues that we have to deal with, but most importantly is the command and control as well as efficient resources on the ground that we can move if something develops that we didn't anticipate.

>> And maybe there is for mr. gonzalez. One difference between the event and the south-by is that schools are out, u.t. , del valle, i think, are having their spring break, but they'll be in school. Have you connected with the school districts to talk about what they might expect?

>> Yes. Circuit of the americas has reached out to the circuit in del valle and from my understanding del valle is considering not having school that friday of the race. Of course because there will be a number of cars in the area, so yes, they are actively talking with the school districts. And you're absolutely right, there are distinctions between this event and south-by. You know, it never fails to amaze us just the amount of interest -- for example, we've gotten a limited request for 200 limo scenes in austin during this time period and we don't get that during south by southwest. So there are a number of different distinctions.

>> I've already gotten my request from my cousin's friend.

>> It seems like it would make sense to connect with aisd to let them know the planning that's going on and that they'll be looking at their bus routes and things like that.

>> Yes. We'll make sure that aisd has specifically been contacted. And if they haven't we'll contact them ourselves.

>> Morrison: Thank you.

>> Tovo: I have a few questions. I'll start with the ones for you, mr. gonzalez. You had talked about you're starting to ea lot of different events for downtown. Same that part of the challenge is going to be to weigh which events are going to potentially impact -- would require road closures that might impact people trying to get downtown to the shuttle location. So how -- what are some of the eval la active criteria that the event staff will use in terms of making decisions about which events can move forward or which might have to /wait/the way until another weekend?

>> We've got gordon durr here, he is the assistant director for transportation and he overzs the special event permitting so I'll call him to answer your question about criteria.

>> Good morning. We've had two groups apply for street closures for that weekend. We met with them yesterday to coordinate those efforts. The schultz operation will take place on -- the shuttle operation will take place on trinity north of 15th street. What we want to do is signage to move people from that location down to the experience of austin area along congress between

11th and eighth and down to where the cota will have the team areas down around colorado, third and fourth street. So we're currently working with all of those folks about how to move people back and forth. We haven't heard of anybody wanting a temporary use permit to want to use private property for an event. We anticipate as we get closer that those folks will come in because there's always people that figure they can figure out a way to make a dollar out of this. So we're actively involved with discussions with the circuit of the americas and all of the interest. We don't have any other special events that are not related to the race currently asking for that weekend, and we're trying to steer them out of that weekend.

>> Tovo: I guess that gets to the heart of my question, if you had a lot of other events coming forward and asking for smaller street closures, it seems like we might get to the point where we have a whole lot of our streets closed downtown. So the only events that have requested street closures at this point is the cota event and the formula fest event.

>> Yes.

>> Tovo: And will there be street closures associated with the shuttle pickup?

>> No. With trinity, because we can still do shuttle operations and maintain traffic flow. There will be in the evening the closure of sixth street which would be a safety closure by the police department. We'll also be coordinating all of the activities to anticipate that. There's still some uncertainty about if they have a big name local come in to entertain, what that location will be at that we'll need to work with everyone involved to find the best place on how to work with those folks. But as always, we'll man the major arterials and lanes through downtown and with the arterial message signs we'll be able to update information for folks as we go along.

>> Tovo: Great. And do you have a sense yet -- it may not be appropriate to discuss it at this point, but if it is appropriate, would you tell us where the cota and the formula fest events are potentially going to be located?

>> The formula fest, which will probably be oriented towards experience austin, would be on congress avenue between eighth and 11th street and the capitol building. The cota would be between lavaca and congress and in the evenings they may expand out on to congress a bit. Those are the two primary areas right now that we're aware of for those festivals.

>> Tovo: Thank you. My next question about the shuttle service out to the -- out to the event. I guess actually it's about those driving. I did wonder how they were going to manage the 17,000 parking spots. And you answered part of that question by saying it will be tied to the tickets. When people call to purchase tickets, they'll need to figure out their ticket alternative -- their parking alternative. Will be there any on-site purchases of tickets? And if so how will they manage the parking for that?

>> Most definitely you can't come on site and try to park unless you've already got the parking permit.

>> Tovo: You can or cannot?

>> You cannot. Circuit of the Americas is very clear on that on their website that you cannot come to this site unless you have a parking permit. That you actually will be turned away and asked to leave the premises unless you have the hang tag for your car. As far as like on-site ticket sales there is the possibility that someone might pay to get on the shuttle and pay for a general day admission ticket on-site, but most definitely you cannot drive your vehicle to the site and expect to park.

>> Tovo: But I assume your traffic calculations have also added in extras to account for the people who may not get that message, who may drive out there to do an on-site ticket purchase, not realizing that they will have nowhere to put their car once they've done that.

>> It's fully anticipated we will have to turn people around, yes.

>> Tovo: You were talking about Starflight and I wanted to clarify, how many Starflight helicopters are there?

>> I can find that information for you, but as I mentioned one of them I think is Austin-based and the standby will be out of San Antonio.

>> Tovo: Okay. I didn't think we had more than a few. So if they were both designated to the F1 site, I wanted one of you all to assure the Austin people who are watching that we'll have plenty of opportunity -- plenty of resources available if an accident or injury happens elsewhere in the city.

>> Yes. The second one will be San Antonio based. And it will be on standby only.

>> The Starflight helicopter program has three aircraft and normally there's one on duty 24 hours a day, seven days a week. The second is on 12 hours a day, seven days a week. And in the planning for the medical care out there, they will take the third aircraft and it will be on-site and also have a contract with the program from San Antonio. So the plan is not to change or disrupt the service level that happens to Austin and Travis County because of this.

>> Tovo: Great. Thank you. And my last question is for Chief Carter, I think it's for Chief Carter. In terms of the staffing that is contemplated for this week and perhaps the following week, the Thanksgiving week as well, do you have a sense of whether that will require overtime from officers? And if so, do you have any estimates for us of what those overtime costs will be?

>> We're still working through all of the details on that, but in general when we go to Alpha Bravo staffing we're adjusting hours and days of the week they work, the officers are actually working during the work week. We've actually had discussions with the association and explained that we were going to actually adjust hours during this time. So the bulk of it will be using on-duty resources. Now, there will be maybe special things that we need to address, special services that we need to address that could have an overtime impact, but most of that will be allayed by the fact if it's a street closure or some other venue Williams knew that has a permit, there's usually a cost to officers for security there. I don't have an exact dollar figure for you, but I will tell you the bulk of it will be on-duty resources the way we're adjusting hours. And like I

said, the first week we're leaning heavily toward the end of the week because the work week is sunday through saturday. That's a full work week. And the officers that work that 40 hours. So the hours are adjusted and weighted towards the end of that first week. And somewhat toward the beginning of that second week is what we're looking at. That should alleviate some of that cost issue.

>> Tovo: And any overtime or officer assistance that's necessary for special events would be compensated by the fees that we charge those promoters?

>> That's correct.

>> Mayor Leffingwell: Thank you very much.

>> Thank you, council.

>> Mayor Leffingwell: Now we'll have our briefing on the form-based code.

>> Mayor Leffingwell: Can you hear me okay? For planning purposes we break at 12 noon. mayor, mayor pro tem, council, good morning. Jorge (indiscernible) with the urban design division of the planning review department. I am co-project manager on this initiative along with allen holt, who could not be here with us this morning, but he has been instrumental in leading us through the visioning efforts of this project, so a great thank you to him. I'm also joined this morning by scott and jane, who are lead consultants in the airport boulevard form-based code initiative, along with tom grant, who is part of our transportation team with kinly horn. And what we want to do this morning is give you an overview of the initiative to date, talking about a mid project check-in. What we've done with the code framework, talk about next steps going forward, and any direction and input we expect to receive from council this morning. You're well familiar with the study area for the airport boulevard form base code initiative that commences at airport and lamar and goes through airport boulevard and ends at i-35 and airport boulevard. And this initiative is trying to coordinate private redevelopment and public improvements on the roadway itself along with other improvements that we're looking at in the surrounding area in the context. As we start seeing how austin will grow and redevelop in the future, the form-based code is trying to address some very specific issues in establishing the vision for a more walkable, mixed use corridor looking at public and private investments, looking at providing a wide range of transportation options that don't only include the vehicle and one of the most important things is to create equitable, sustainable and affordable development options for the corridor while creating the rules and tools to implement the vision that we've been working with the community to establish at this point. The process to date involves quite a number of public meetings and stakeholder input. As of late we've been working on refining the vision and having a series of round table meetings out in the community that involve a various number of stakeholders, property owners, business owners to do -- to culminate in mid project review that we are presenting to you this morning. The process to date has been quite extensive in terms of public input and public participation. To date we've had over 68 meetings that involve the community. Stakeholder -- I won't read these to you obviously, but the 68 meetings do not include the dozens of internal technical meetings with stakeholders and city staff. We have made commitments to the community and internally to continue this level of

involvement with the community to be able to ascertain their concerns and issues going forward. I want to introduce scott polacoff who will walk us through the outline for the form-based code initiative.

>> Thank you, jorge. city manager, mayor pro tem and members of council, it's good to be back. Councilmember tovo, when we were retained for this project, you weren't on council, but we look forward to working with you going forward with this. I think the key here is that it says the form-based code initiative. This is not about a code. This is really when we had our initial meeting with the representatives of every department in /the city/constituent to kick this project off, it represented this initiative as a way to bring together many of the tough issues and opportunities when you're talking about accommodating major growth and development in the major corridors of austin. So the point here is to give you insight about how we're integrating all those different issues, but this is nothing new. You can see here this is the old original plan for austin, the waller plan. Austin was actually planned, developed and conceived of through the original form-based code approach. We didn't have planning commission meetings and 00 in the morning back then arguing about whether or not we should have a donut shop or dress shop or a 7-11 on a particular corner. We established a great framework with parks, great streets, great parks, how the building should address the streets, how the neighborhood should interact with the commercial areas, and we have austin today as we love it. So somehow we got away from that. But now what we're trying to do is to use this initiative to go back to in a modern sense the way we did it before. And I know harry saveio was here and we all know harry and he was saying how are you going to make it easier for us to do our job? This is a way for us to set a high standard, to make it easy for those who want to do their job well to do it. On the other hand this is also a way for us to engage the neighborhoods in a way they can be proactive. You can see on the simple diagram that instead of focusing on the traditional u spaced system on every site we argue about use and traffic we're focusing on the form of the environment, of the neighborhood, of the relationship of the streets to the development. We still will want to manage use through this process, but we let the market do a better job because now we have certainty of the environment, of deciding over time whether different is and uses should come and go. This is the vision that we developed. The planning work that we've done in partnership with our team and with the other major partners in the corridor -- by the way, you have, for example, bull here and matt redland with the mall project. You have carol hunts burger with quality seafood. We say bryan liquor here. We took the market potential, the conditions on the ground today, we took the vision of the neighborhoods, of the mall redevelopment team and we did a building scale vision. This is not paint by numbers. This is literally if you look at this you see the yellow line is airport boulevard, the red line is the capital metro line. We literally did what we felt was the best outcome as one of many potential outcomes. That gave us the ability to better engage the neighborhoods, the property owners and the business owners to establish a series of character zones. And you can see the character zones relate to the characteristics of development that make sense today and tomorrow, but they also give us a better sense of how we can relate one portion of the corridor to another portion of the corridor. This makes it a much more sensitive environment so that again it's predictable whether you're a business owner or property owner or whether you're a neighborhood representative wanting to know what the outcome will be. So for example, working with and red leaf team, we're going to incorporate in the proposed city initiated rezoning the redevelopment vision that's been in that partnership with highland mall and the code will reflect the development standards necessary to do that. Similarly the areas around

highland mall will need special rules to take advantage of the redevelopment opportunities plus the interface with the neighborhoods. And if you look at the areas, what we're calling the mixed use, highway mixed use corridors, remember the far side of this corridor backs up to i-35. And we want to make sure that we take advantage of that special relationship there which right now is sort of kind of a forgotten no person's land. Similarly we've also identified an opportunity just south of koenig, down there by quality seafood as you transition to the smaller businesses going towards i-35, the old historic smithville -- I'm sorry, fiskville area, which was its own community, has the potential across the street from the county facility that is going to have 2000 employees and five to six thousand people visiting it everyday for significant redevelopment, and taking advantage of hopefully some improvements of the service on the red line, we could actually have an additional tod stop there. What we're calling the specific campus area we're working close we with with the leadership on the commissioners' court and staff to give them additional refinement of the county complex as a mixed use destination and they've done a good job of relating their vision and development potential to the ridgetop neighborhood. And we've built on that very positive relationship. Work on the local mixed use area is really the heart of our I think driver here for the project. How do we maintain the long-term capacity as the mayor pro tem asked us when we were interviewing for this job, how are you going to maintain the long-term capacities to support small businesses and local businesses in this corridor? This area will have special development standards and then ultimately what we're calling transition standards for some of those very sensitive areas between the neighborhood and those shallow lots where they're basically now continuous curb cuts, to give small property owners and small businesses the opportunity to reinvest without having to worry about what's happening next to them. A lot of redevelopment requires the aggregation of a lot of property. What we're doing is developing a coding strategy that allows individual small property owners and businesses to invest in a small scale, to maintain the ability for small developers, small business owners and small tenants to grow with the redevelopment process instead of being pushed out. And similarly probably one of the -- it's the elephant in the room, compatibility, transitions, buffers. How do we work on those very important relationships between all the significant corridors in the city and the neighborhoods. And we've had extensive engagement with the design commission, the planning commission, stakeholders, neighborhoods and jorge and allen have done a tremendous job on the staff side of literally regular daily contact with the neighborhood interest and helping us interface with them on this issue. So the last piece that's maybe just as important is the form based planning and coding approach is truly what's called a unified development environment, a unified code environment. Normally you would have the zoning mechanism that takes care of use and development standards and site design standards and then you have the subdivision and separate process on the street design and a lot of times you get a mismatch of the design of the street, its functionality, often times the pedestrian gets lost in that, the cyclist gets lost in that. We're coming from where we're trying to retrofit on a lot of other parts of town, we're doing on the front end the work -- you can see the different color coded lines showing the streets. If you're redeveloping the street, what the new street design should be for new development, what the street design should be. This is a continuous cycling environment, and the street cross-sections are going to support the fine grain relationship between the neighborhoods and the businesses as you go from one location to another. With that I'll turn it back over to jorge to talk about what the form based issue gives you the ability to talk more about transitions as opposed to buffers. To improve the relationship and the integrity both of the corridor itself and the neighborhoods and

the long-term residents want to make sure that this is not just an opportunity for developers and businesses, this is also an opportunity for the neighborhood.

>> Thank you, Scott. Council, we are very excited to talk about this issue of transitions rather than buffers. And start looking about how do we address effective place making in great community design, which is really what we're trying to do in preserving the unique and special character of our established neighborhoods. And really addressing the missing middle in terms of housing options and housing building types that we can offer in the corridor itself. And by increasing those housing options we think we can start to address the issue of -- ability to have other types of housing options that will provide more equitable access to building types. So when you -- when we talk about the missing middle portion, in Austin we seem to have quite a bit of great market potential for hi-rise and mid rise construction and at the other end of the spectrum you have single-family detached dwelling development that often occurs. It's that missing middle that we're trying to address in terms of what types of building forms we can encourage through a tool like the form-based code that could include duplexes, row houses and other types of building types that could address, could be addressed. When we look at how we can start doing the effective transitions, we look to the neighborhood plans that start to address effective transitions and appropriately scaled buildings. These are two specific examples from our neighborhood plan, that specifically address this issue. And we are using the neighborhood plans as a basis our recommendations and considerations to provide these housing and building options for the corridor itself. Could this be a 76 of what the residential transition could look like? Possibly, but if you recall the previous slide it starts to address the building form in terms of scale and proportion as it starts to transition from the activity corridor that we have along airport. So we think this will be a more effective tool than we currently have on the books in terms of our established line use patterns and zoning regulations that will start to address those minute niched areas that we can start to define effective place making. I'll turn it back over to Scott who will walk us through a recap of the recurring issues we've heard through the community.

>> Jorge and I agreed we're going to get the 31 slides in in 10 minutes. We're almost done. This really is a very important slide. Again the notion that this could be an implementation template for the comprehensive plan, that this could be an implementation template for bringing all the various somewhat disassociated pieces for development in the city. This could be a template for bringing together the issues that often times are neighborhoods reacting as opposed to be given the opportunity to come forward on a proactive basis. Streamlining the process or coordinating street design with the built environment, however, form-based coding creates a socket where all those opportunities can be plugged into. The current zoning in the corridor speaks zero to any of those issues. In engaging with the stakeholders we have learned a lot and for example we've had three rounds of meetings with the affordable housing community. And in fact, I have the hot off the presses draft report from professor Liz Miller, Miller's report on the creating inclusive corridors. It's a tremendous read. And the last part of it says finally in support of these goals and to raise the profile of affordability in the corridor planning process we recommend that the airport boulevard initiative add to its vision of the corridor the goal of equitable and sustainable affordability for residents. We've taken that to heart and I think it's reflect /understand/(ed) in our work and it is absolutely now a formal goal of the initiative. So the point is that this is an opportunity -- this is a platform for us to deal with all of these opportunities within the corridor. The code can't solve all of them, but it creates a rational opportunity to then bring to the table the

additional political and financial resources necessary to do the right thing in the corridor. And the right thing really is about value capture, broadly defined. Whether you're talking about repurposing what is a wide right-of-way that no longer serves its purpose as a rural highway when it was first conceived of in the 40's and 50's, to making that a true boulevard that is consistent for people walking and riding their bike and having cafe experiences and living in small scale residential that doesn't really exist in any other part of the community on a large scale basis in terms of new development. Facilitating regional drainage, huge issue. We can do all the form-based coding and zoning and all the talk about great streets and all of that we want, but if we don't figure out a way to create a regional drainage capacity, Laura is here with us today who is on our team, then the small sites will never redevelop because they on their own could never site detain. So we're working in concert with the larger property owners to figure out a strategy to have good efficient and effective water quality and drainage and freeing up the ability of the smaller sites to redevelop without having the burden of involving that problem site by site. The suburbs you can do that because you have large setbacks, you have low density. In an urban redevelopment area solving the drainage problem is critical. There are ways to begin to aggregate public and private resources. Support for small business development we've already talked about that except for I will /add/( ed) a we're working with Rodney Gonzalez and Kevin to potentially put in place a small business support team or center as a concept where we can marry small minority businesses and professionals with redevelopment opportunities so you have the access and scale of the professionals and the clients married newspaper this corridor as a new template for encouraging small business activity. And finally you're talking about significant investments. And if we can incentivize both the public and private to marry those sources together, I think we can have a hallmark opportunity for redevelopment to take advantage of this corridor and maybe set the framework for other corridors. Of course there's the city of Austin general fund. I know most of the bond program is set at this point, but at some point there will have to be the question of how do you create a common investment opportunity to redo the boulevard itself through maybe city bonds? We're talking about tax increment financing to facilitate potentially reimbursements for private investments and some of the major drainage facilities to unleash that development potential. And all of that in the experience we have had in many of these similar projects, once the city identifies appropriate resources that it can commit, that then becomes a positive tax base generator for the city from its perspective or the county, who by /wait/the way has been a huge partner, very active with us, then I think that certainty then attracts more private investment. And I think that's really the goal here is to attract the appropriately focused investment. So with that I'll turn it back to Jorge for next steps.

>> There will be quite a number of more public meetings and public engagements with the community, with stakeholders, with specialized staff that will be assisting us in drafting the code. We get the fund portion of this and starting to draft the actual code that you asked us to come back and provide you a draft. Our intention is to come back to you at the end of this year with a draft that you can consider along with the recommendations of the boards and commissions and through statutory public hearings that will happen later this fall. But we have committed to the community to come back and reach out and walk them through the process of the form-based code so when we cull main nate this process at the end of the year we can come back with a full so what we're looking from you today, what we need is for you to provide your insight if you have any questions regarding this initiative and where we're trying to get to. Unless we hear otherwise we will proceed with commencing with the writing of the actual form-based code draft

that we will walk through the boards and commissions and the community and bring that back to you at the end of the year. That concludes our presentation. If you have any questions we'll be happy to answer them.

>> Mayor Leffingwell: Councilmember Riley.

>> Riley: Jorge and Scott I want to thank you for all your work on this. I also want to thank all the other folks who have been involved in this and I notice a number of folks from the airport boulevard advisory committee who are here with us today and I've seen them in a number of other meetings on this. I want to applaud everybody who has put so much into this for a long period of time. It's been an inclusive process involving a number of partners, including the neighborhoods surrounding the area. Scott mentioned that Travis and Red Leaf Properties working on the Highland Mall site. I know there's been a lot of interest on that in those areas from all parts of the community and so it's great to have a forum to carry on the dialogue with all the stakeholders. And I appreciate all your work on that. I wanted to ask a couple of questions of you, Scott, especially about the -- first, about the whole concept of the form-based code. I think you did a great job of laying out the basic concept. One issue that some folks might have concerns about relates to the future role of uses. And since the focus of the form-based code is on the forms of building rather than the use that take place inside the buildings, does that mean we'll be leaving the door wide open to any uses that anybody might want to do in all of these properties that are right up abutting against all the neighborhoods and everything? Are we going to completely discard the notion of regulating uses in this corridor?

>> No, Councilmember. There is still going to be the regulation of use. We're going to -- you probably essentially will see the same basic uses you see in the corridor today. To the extent there's more auto-based uses they'll be tamed by design to be a better neighborhood. We'll be adding more residential uses, that's for sure. If a similar use is intended, you would be allowed as a matter of right. And if it's not on that use chart you wouldn't be able to do it. But again, it's really getting at more of what the uses evolve. If you get the form right the uses will come and go as the market decides what's a successful business. It won't allow noxious uses to come in the corridor because we're talking about a different approach. I should say on the other hand, the other question comes in, well, I have a non-forming building or site and I have a conforming use, is this going to put me out of business? Absolutely not. We will calibrate a threshold that says if you're in business today in a building that's maybe in the wrong location or parking is incorrect, you can continue in that use for indefinite periods. You can sell that building to somebody else and they can continue that use for as long as they want as long as you can not cross over a threshold of substantial investment in that property. Once you make major substantial investments you need to come under the same rules as your neighbors are because that's the only way we get the predictability of outcomes. So if you're in business today or you want to sell your business to somebody else today, under the recommendation we're going to make you get to keep doing that as long as you want to do that. As long as you haven't discontinued /that had/(ed) that use and it's not -- it's a grandfathered use and that's already regulated by other city ordinances, there would be no problem whatsoever.

>> Riley: Okay. We are going to be considering the comprehensive plan later today. And in the course of consideration of that plan, there's been some discussion about potential modifications

to the land development code and discussions have come up about what could happen if we were to tinker with our existing protections that are in place. The chair of the planning commission has made the point that there are many structures in place in established neighborhoods that would actually not be legal under existing code and he pointed to places like Lieke's and Jeffrey's in Old West Austin and it seems like there maybe an opportunity here for neighborhoods to have a greater control over the built environment in their areas than even greater than they have today. Is that fair?

>> I think it's well said. This gives the neighborhoods the opportunity to give us future tools for development. And regardless of the variety of uses that may come and go within that context, it's really going to be very predictable on a block by block basis the scale, the characteristics, the quality, the relationship of that particular site to another site. That is really the power of the form-based code. And that's why you will get what you get today with the compatibility standards, plus you get actually a lot more opportunity for neighborhoods to get some beneficial context that normally you can't get with the context or tool of capability. And I know there's real concern about throwing out certain protections, but we're talking about creating at least the same and with a better proactive engagement opportunity by the neighborhoods before we would ever talk about, quote, throwing something else out.

>> Riley: Last question relates to financing of the infrastructure improvements. On slide 29 you mentioned various tools that may be available, including a tax increment reinvestment zone. And in case -- for those who may not be familiar with that concept I just want to touch on it. As I understand it, the concept is that the infrastructure in this area could be financed by looking to the improvements that would result once the infrastructure is in place. That there may be ways to capture that value in advance to put the infrastructure in place in the first place. Could you confirm that's the case and how that infrastructure could be financed in this corridor?

>> What we would want to analyze is how much tax base would be created in the corridor and how much would you want to set aside to reinvest in the corridor to grow a larger tax base back to the general fund. That's the business proposition from the public sector's perspective. And I think the county would have an interest in participating considering that too, I would hope, at some point if we can make the case to them because they have a vested interest within that corridor also. There are three big buckets of infrastructure. You're talking about a multi-million-dollar reconstruction of Airport Boulevard. A tax increment financing district couldn't finance that because you still have to pledge the full faith and credit and find it's not new money. So you have to find additional sources of funds such as bonds, but the smaller scale fine grain street infrastructure and drainage improvements that might be appropriately paid for by either the private sector or through creating some value and then using that value to reinvest once it's put into the district would be a good candidate. When I talk about the other private sector investments, what we're talking about there is there's a practice that's been used regularly in other communities very successfully that you agree on what they would be reimbursed for in terms of infrastructure. You agree on a set of community benefits that make sense for the quid pro quo of them then being reimbursed when that value in the district reaches a point where you can give them a certain level of reinvestment. It's essentially giving them the ability to go out to the private equity and debt markets to raise the capital, invest in that infrastructure because they now have a commitment from the public sector that under a certain level of performance they can

then get repaid for part of that. You set within the project plan the kind of infrastructure that they would be eligible for reimbursement so they don't get to who whatever they want. And for example, this may be an opportunity to discuss other community benefits on larger tracts, for example, in terms of affordable housing and that sort of thing. You've got to be careful, the devil's in the details. You don't want to use core numbers and say we exceed x in order to get y. You have to analyze it based on the real projections, the real projects and the real potential return. It can't just be a course number that says 20% gives you 30%. You have to look at the real bottom line factors.

>> Riley: Or continuing discussions on that and all the other issues that come ahead. Thanks for all your efforts on this.

>> Mayor Leffingwell: Thank you. Councilmember morrison?

>> Morrison: I do have some questions. I don't know if we need to delay this.

>> Mayor Leffingwell: Well, it depends on how long you anticipate. If it's more than about five minutes, we probably ought to come back up.

>> Morrison: It might be more. And I don't know if other colleagues have questions.

>> Mayor Leffingwell: We'll continue this after executive session.

>> We'll be back after lunch.

>> Mayor Leffingwell: It will be later this afternoon.

>> No, it's important. Thank you.

>> Mayor Leffingwell: So we'll go to our citizens communication. First is raul alvarez. Topic is east side affordability. Welcome, councilmember.

>> Greetings mayor and councilmembers. It's a beautiful day and I'm glad to be here with you today. And for those of you who just ran for reelection and I guess successfully ran for reelection, congratulations to you and best of luck in the next term. My presentation today relates to a lot of different topics that have been discussed in the paper. There's a recent report by the urban land institute and housing works on building and retaining an affordable austin. I'll focus on the retaining part of that. That's what relates to my presentation. What I'm going to talk about relates to the strategic plan that says in its vision that we need to develop affordable and healthy communities and it identifies two of our community's six challenges as preserving our liveability and tackling the ethnic divide. Under tackling the ethnic divide the plan actually asks the question how can we improve their lives while also protecting east side residents from displacement. So my presentation will show what we can do and must do to address this question. My presentation will troll a recent article in the atlantic city's website about the fastest gentrifying cities in the and it lists 7870 it as the fifth fastest gentrifying zip code. So it is on the national map, but for the wrong reasons. Finally the presentation has a piece on how the

mexican-american community used to be centered around the parks, but those were consciously removed from downtown. The article had a bit of nostalgic feel to it, but folks, it is a sad statement on austin that that this occurred and is actually documented in the city plan. And guess what? It's happening again. My presentation is about how to avoid history repeating itself. It's about how to put a stop to the displacement of low income residents, african-americans, latinos that is already underway. It's time -- the time for talk is over. It is time to act. And now my actual presentation, just in time for the buzzer -- so I've passed out the executive summary of our actual report called land of broken dreams and land of opportunity. So we looked at basically trends in home ownership over the last decade for four neighborhoods, chestnut, part of rosewood, east cesar chavez and holly. What we found over the last few years is a third of the homeowners no longer own their homes. So that's about 214 homes of the population we looked at. And of the two-thirds of long time residents who are still here, a third of them are actually delinquent on their taxes. So of the 408 or so that are still here that are 20 plus year residents, a third of them are delinquent on their taxes and owe 3200 or so in back taxes.

[ Buzzer sounds ] so that's actually the land of opportunity part of the report is there's still two-thirds of low income residents in east austin that we can help. And look at the report and email us and contact us if you can help us in any way address this very important issue. But thank you very much for your time and best of luck today and getting out at a decent hour.

>> Mayor Leffingwell: Thank you, raul.

>> Spelman: Mayor?

>> Martinez: Mayor?

>> Mayor Leffingwell: Mar.

>> Martinez: I really appreciate you doing this work and was happy to be part of the initial launch of the conservancy, but i wanted to ask you -- in the theory that you've laid out and how we assist folks with the ever escalating property taxes, isn't this conceptionally the same thing that the homestead preservation district would do is cover the incremental changes in property taxes as value increased, but would still allow the value to go up so that if that east side resident, 10, 20 years from now decided to sell their home that would see that value in the sale of that property?

>> Well, I think there's -- it's a little different approach because we can't really use any of the proceeds from that tif or homicide preservation district to actually help people pay their taxes. What we propose is tax payment assistance program that is basically privately funded. And the argument we make is in terms of being able to preserve housing is let's help people with the 3,000 bucks they need to get out of hot water with the tax office instead of trying to figure out how do we spend 170,000 or so building a new home? And so of the, again, 125 people we identified who were delinquent, they owe about \$400,000 through our matching tax payment assistance program. We would only need 200,000 again to get all those 125 out of hot water. Now, that part is -- that's the band-aid. We still need the long-term solution, which the homestead preserve ration is a big part of that. This is more how do we stabilize the patient, quote unquote,

so that we can have an opportunity for long-term cure or fix. And that's why one of the things that the report calls for is a summit to come up with a plan that says short-term what we can do and long-term what do we want to work for because it may involve some legislative actions as well.

>> Martinez: Do you believe that providing that initial stability that 12 months later we won't be in that same situation? Or out of your interviews with these 125 families, do you find that if we provided this assistance that we could get them on the right track within 12 months before the next tax cycle hits?

>> Part of the requirement is they go through a financial coaching process. An we're working with frameworks, cdc on the coaching piece, so try to get them to an annual plan where they know what they need to be setting aside every month. And again, we're not going to be asking them necessarily to set aside more than 30% of their income and that's where we come in in terms of meeting the gap between 30% and what they're able to set aside for housing. But I think what it does, once you're caught up that buys you three to five years probably before you get into a situation where you might be kind of at a threat of foreclosure, which again -- we tell folk, you get help one year and you have to sit out a year, but during that year this is what you should be doing. And they come back in year three and we want to make sure they're doing those steps in the plan that we helped develop with them to make sure again that obviously they have skin in the game and they're serious about wanting to stay and figure out how to work through the situation.

>> Martinez: So the council just adopted an item and we created a new committee of myself, councilmember morrison, tovo and the mayor and we'll be talking about economic development deals and master development agreements as we move forward. And what types of values that we want imparted in those agreements. And so I want to invite you to help us try to figure out if there's something that we can contemplate during this rewrite of how we look at economic incentives to where that private partnership with the conservancy can be another mechanism for helping some of the issues that you're trying to address with the conservancy.

>> I'd be honored to be involved in that we'll keep you posted as other events and activities relating to this come up. But thanks for again keeping this on the front burner because I think it's a critical time right now and I think what the report shows is there actually still is a significant impact we can have on this. We haven't -- it's not too late. A lot of people think it's too late to make an impact, but the report shows there's still a lot to be done.

>> Martinez: Thank you.

>> Thanks again.

>> Mayor Leffingwell: Councilmember morrison has a question.

>> Morrison: I just want to make one question, councilmember. It's found have you down here. And just how much i appreciate the work because it's imperative that we have a private organization doing this. I remember some years ago working with councilmember martinez and

looking at isn't there some way the city can participate in helping folks with the delinquent taxes. And as I recall, the legal answer was absolutely not. You can't use city taxes to help people pay their taxes. So to have your organization in existence and the great work that you're doing i think is a critical part of it.

>> We're not actually here saying give us some money because we actually can't. You can't, I guess, but that doesn't mean again as a kind of community collaborative or initiative we can't work together to make an impact, positive impact on this.

>> Morrison: Thank you.

>> Mayor Leffingwell: Rae nadler-olenick. Topic is water fluoridation.

>> Good afternoon, mayor and councilmembers. As you're aware, about three WEEKS AGO ON MAY 22nd, Keye-tv aired a segment about fluoride and gave it top story building. It was the first instance I've seen of genuinely serious, fair minded coverage of the issue by any of austin's major news organizations and my hat is off to the keye-tv team who made it happen. The piece was well researched and put together. The reporter interviewed a local biological dentist. The short definition of that is one who shuns the use of dentist try's notoriously toxic materials, mercury and fluoride, replacing them with safer alternes. The reporter also interviewed mayor leffingwell and myself, separately, of course. When I was interviewed in early april I knew a major story was in the works, but didn't realize the angle would be expense. Fluoride-free austin has focused mainly on the unsafe aspects of community water fluoridation, yet the piece aired as a waste watch segment in the 10:00 p.m. News slots complete complete with the results of a same day phone poll conducted by a dc firm with a fast turnaround time. You can see how it was worded and the results. 49% Called fluoridation a waste of money. Now, that's very close. In fact, it reminds me of last month's mayorial race. What this independent keye survey tells us is the number of austinites who don't want fluoride based on cost alone approaches half at the very least. I say at the least because again referring to the recent mayor's race, in that instance there were three candidates with a significant 12% going to the contender with the fewest votes. The current poll lacks the usual third choice, undecided. Without knowing how many votes would have fallen into the undecided column had it been available, we can't be sure that the people who currently favor discontinuing fluoridation don't equal or even out number those who would keep it. Either way clearly a very large segment of our population opposes spending any more money on the program. So let me ask this one question of any and all of has the new evidence that opposition to fluoridation is much broader than you previously thought, has it altered your position in any way? Thank you.

>> Mayor Leffingwell: Next speaker is dellia garza. Topic is geographic representation. E good afternoon. My name is delia garza and i was appointed by char mars to the committee. I've been very involved in the 10-1 movement and I've learned a lot about how this council works and how it seems to be greatly influenced by this circle of political insiders and consultants. So I wanted to come here today and let you know what's going on outside of the walls of city hall. The 10-1 movement is very strong and dedicated to ending the current gentleman's agreement. We've collected over 24,000 signatures and that number keeps growing. And the 10-1 measure will be on the november ballot. The 10-1 plan has been endorsed by very large and influential groups to

name a few, the league of women voters, the austin neighborhood's council, the austin police association and the austin fire association. There is a very organized public education campaign that I have been a part of along with other people. I've spoken to groups from southeast austin to northeast austin to very welcome receptions. Recently I did receive a bit of a negative reception when I went to speak at a central austin neighborhood group and after giving my 10 n 1 spiel a gentleman in the group raised his hand and said it would be stupid for us to support this. We have all the power. Why would we want to let that go? And he's absolutely right. And I don't think that i have to explain to this council why it's not fair that a particular part of austin is able to control this city and is able to control this council. Furthermore, any attempt by this council to put an opposing measure on the november ballot would just be seen as an attempt to sabotage change and an endorsement to hold on to the patronizing gentleman's agreement. An opposing measure would be a slap in the face to me and the majority of my colleagues who serve on the charter revision committee who sat through hours and hours of self from citizens from all over the city and from voting rights experts who told us that other plans such as an 8-2-1, for example, would likely not pass department of justice muster because it would likely eliminate an african-american seat. And it would be a slap in the face to the growing number of citizens who support 10-1 and are ready for change. I'm not naive. I know how politics work. But I hope at the end of the day when you think of the oath of office that all of you took to serve this city, you remember that it was an oath of office to serve all of austin, not just certain sip codes, not just certain precincts and not just certain consultants, but all of austin. I near your service, I know that you have tough decisions to make and i thank you for your time.

[Applause]

>> jeff kantoff? No subject.

>> Actually, I do have a subject.

>> Good afternoon. What I have to say will be short and to the point. That's been quite an uproar about the use of drones by the city of austin. I have a new thought and approach on just how these drones should be used. Instead of using those drones to surveil the citizens of this city that pay your salaries, I propose these drones be used to follow you. The so-called public servants -- that way we can watch and see just who you meet with and what you do outside these chambers. We can know what corporate lobbyists are greasing the palms of these councilmembers for tax breaks and political favors for land development. We can know what demand the feds are making upon our city and who they are. The city has placed cameras all over watching us citizens as if everybody is a subject -- is a suspect. Well, what's good for the goose is good for the gander. These should be -- there should be cameras and microphones in each and every councilmember's office. Councilmember morrison snickered at the idea when it was brought toter attention at a tag meeting some months ago. What she didn't realize is we were dead serious in asking her about it. If we the citizens are to be subject to these orwellian measures, then public servants should be held to a much higher standard. The question of who watches the watchers has been asked many times before. Well, the answer is us the citizens. More than ever we are watching you. Left you forget the disastrous decisions you make in regards to things like police state measures, surveillance state measures or agenda 21 measures, you are selling out the future freedom of your own children, your family, your friends for personal future gain. You will pay

the price as well. Do not think of lowly citizen government person is -- do not think a lowly citizen government person is ever bit as disposable as us citizens. Take a look in the mirror. You are no different than we are other than your belief that the position of authority you hold makes you somehow special. You better think again. Thank you for your time.

>> Mayor Leffingwell: Cynthia Valadez. And the topic is central health care district issues and neighborhood issues in east Austin.

>> Good afternoon, honorable Leffingwell and city councilmembers. The decision to create the Travis County Central Health Care District as a taxing jurisdiction and not transfer the public health department was a conscious one. We believe that the city of Austin believed that its appointment to this board would be coordinated and integrated with public health. As of today, the Northeast Clinic at 7112 Ed Bluestein will be closed without consultation with the public health department, the clients served there or the surrounding community. This clinic is large and provides services for family medicine, including children internal medicine, women's health and maternity care. And eligibility unit and office are also located at the same location. By closing the clinic, Central Health will disintegrate services by moving the eligibility movement to a far northeast facility near the post office on Cross Park Drive. Move the medical staff to two facilities, one located on North 35 and the frontage road of Rundberg Lane and the newly created Braker Lane location. And they'll leave the W.I.C. Office as a stand alone. In Travis County there are three main enclaves of medically underserved Latinos in poor communities. They're located southeast, northeast and north central. In the very locations where Central Health has refused to expand services, 2010 census, the 78744 Dove Springs neighborhood is the most underserved area in the city of Austin. Central Health decision to close the Northeast Clinic was done without any careful health service delivery planning. They simply let the lease expire and forced those with the least resources to find their own services. Yes, the Northeast Clinic needed improvement, however the staff has known for years that this clinic either needed to be replaced or improved. The decision to close the clinic also coincides with the farther central investment in a huge, overbuilt North Braker Lane facility that is curbed yet underutilized, what a coincidence that they are forced to seek services there, increasing their travel time via whatever bus services are available by two or three hours. Our Latino population is young with multiple children, so imagine trying to maneuver while carrying your stroller, your crying children, your sick child, your baby bag and yourself to a location hours away. You appoint four members to the Central Health Board and one joint appointee with the Travis County Commissioners' Court. It is your responsibility to make sure that your appointees protect your public health investment so that services are incident gated in an efficient manner. If they cannot fulfill these duties they need to resign. They also need to make sure that the public health care service delivery system is providing services in the neighborhoods with the greatest needs. And for that we ask you to take action. If the city, county, central and their funded agencies cannot maintain their services, then we ask that you please intervene.

[ Buzzer sounds ] we ask that you demand of the central health staff and contractors negotiate for an extension of time --

>> Mayor Leffingwell: Thank you.

>> We demand that the center health staff and contractors plan for a new clinic in the northeast region with input from the actual patients, consumers and community take stakeholders through an advisory community.

>> Mayor Leffingwell: Your time has expired. Next speaker is alicia perez. I'm sorry, ma'am. It's not fair to everyone else. You can pass that out. Pass that out to councilmember riley. We can pass them down.

>> Mayor Leffingwell: Your time has expired. Ms. pouries, go ahead.

>> Councilmember and mayor, hello, my name is alicia perez hodge. And today I'm here on a very important issue. I am one of 24,000 austinites that have signed a petition to change the form of government from an antiquated at large and unfair system to one of geographic representation with a 10-1 plan. That is 10 representatives from the single member districts and a mayor elected add large. If we are going to change the form of electing our government, a very important process, for a progressive city like austin, then let's do it the right way by adopting a 10-1 plan. Do not be swayed by those that will say the 10-1 plan is too much of a change. Or that people won't vote for it. Because a hybrid system may be a little bit more of a moderate plan. Don't be swayed by that. I and thousands of others like me ask you to do the right thing the right way by adopting a 10-1 plan for geographic representation for the city of austin. Go with the plan that was recommended by your charter review committee. Go with the plan that was endorsed this week by the firefighters. It's been endorsed by the police association. Do with the plan that was endorsed and supported by the league of united latin american citizens and the naacp. Do the right thing, put forth to the voters a 10-1 plan. Concerning some points brought up yesterday or this week in your work session about geographic representation and the 10-1 plan circulated, the petition circulated by agr, the 10-1 proposal does not advocate may elections in any way. I wanted to clarify that. Agr strongly supports moving the may elections to november. The charter currently requires may elections and that is why the language in the petition was written the way that it is. If voters decide that city elections should be moved to november, that's okay. Cd tun 10-1 does not require an election date and has language to allow the timeline of whatever election date the voters adopt. And I have the specific language if there's any questions on that. My last note to you is to encourage you, strongly encourage you, to support an independent citizens redistricting commission as recommended by your charter review commission. Allow lines to be drawn by an independent citizens' commission. Let those lines be final. Do not politicize it by interjecting yourself into it, no matter how good your intentions or your measures, they will always say you drew the district for you. So just don't forget that. Don't politicize it. Let the citizens, an independent review commission, do that. Thank you very much for your time. Guidelines should be considered for the exclusion of special interests. Please do not politicize the matter. Thank you for the time.

>> Tovo: perez you mentioned in passing that you would be glad to provide the specific language if asked. And I wonder if you would because my read of the petition was pretty specific on the point of may.

>> Yes. Specifically page two, section three, subsection b of the plan states if the date of the city election is moved -- and that is specifically page two, section three, subsection b.

>> Tovo: Would you read that? I don't have the petition in front of me.

>> Page two, section three, and subsection b. And that states, if the date of the city election is moved, then the dates of this article shall be adjusted to ensure the commission has sufficient time to draw lines prior to the election date. That section would in essence adjust all dates related to the may elections to match november elections if necessary. It would be adjusted.

>> Mayor Leffingwell: John duffy. No topic.

>> One of the imperatives of the state apparatus in our culture is to maintain the illusion that there is only one for human services to live. One organizational system, one method of exchange, one way to relate to one another, etcetera. The god of this culture /being/(ing)about production, all must fall before it, the poor, child nature, heritage trees sprouted from acorns. One of the concerns most often addressed during the recent election was the affordability of living in austin. More and more families primarily people of color, are being forced to the periphery of the city or the structures of lower and lower quality. Such is the case of the people who live in the wood ridge apartments who despite years of complaints, went unattended and a portion of the complex collapsed. I have a friend named jessica who is a single mother, a cancer survivor and she is currently unemployed. She made the conscious decision to live simply, to forego access and to strive for as much self sufficiency as possible. In order to reduce her living costs she built with her two hands a small structure no larger than a weather shed with a domed roof with an air conditioner and light it was comfortable. She built this in the yard of a friend's home for roughly \$300. She intended to use the bathroom in the existing house and the kitchen. It was the city's code enforcement team that kicked her out, citing numerous violations and demand a series of permits, the 300-dollar tiny house became untenable and she was put on the street into normal accommodations. Clearly affordability is only a concern when achieved within a capitalist family work.

[One moment, please, for change in captioners]

>> Mayor Leffingwell: Larry shannon hargrove. Not here. Jessica delessky and derek norris have cancelled. Those are all the speakers that we have today. So without objection, the city council will go into closed session to take up five items. 071 of the government code, the city council will consult with legal counsel regarding the following three items: Item 32, legal issues relating to local government matters, number 33, issues related to the nobody 6, 2012 election. Number 34, issues related to at&t's property claim for damages against the city. And pursuant to section 074 of the government code, the city council will discuss in closed session personnel issues related to item 35, evaluate the performance of and consider the compensation and benefits for the city clerk. And item 36, to evaluate the performance of and consider the consideration of the municipal court clerk. Any objection to going into executive session on these items? Hearing none, the council will now go into executive session. It's likely to be a lengthy session before we come back out.

[Rumbling] Announcer: What if a disaster strikes without warning? What if life as you know it has completely turned on its head? What if everything familiar becomes anything but? Before a

disaster turns your family's world upside down, it's up to you to be ready. Get a kit. make a plan. be informed today.

>> We are out of closed sections, item 33, 34, 35 were discussed and item 32 was not discussed. So if there is no objection, council, we have some of pose postponements and consent items out of the way 30 briefing. guernsey, do you want to take us through that consent and postponement portion, all the way through 00 o'clock zoning and the 4:00 o'clock.

>> Guernsey: Very good. I will go through all of the 00 o'clock items that we have that I know are consent postponements. The first item -- greg guernsey planning and development review department. 00 o'clock for consent is item number 37. This is a briefing, this is case number cd-2012-0001, for the easton planned unit development and they asked postponement to 6/28. Item 28 is c14-2012-0006, this is for the eco 9 project at 9511, forth f.m. 620 Road and a neighborhood request for postponement for 6/28. They are working for the private restrictive covenant with the owner. Item number 39, zoning and neighborhood plan amendments. Thirty-nine is a discussion item so I will skip that item. Item number 40 is case c14-2012-0041 and this is to ezone property located at 813 west north loop boulevard to general customer services mixed use, cs-mu,-co me p, the recommendation was to grant the cs-mu oh co and np zoning and it is ready for consent approval on all three readings. Case 41 is c14-2011-0131 for property on west 34th street and staff requesting a postponement to this item to august 2nd agenda and 42c14-2011-0132 at the property located at 3316 grandview street. Staff requesting postponement for this item to august 2nd agenda. Item 43 isc 14-20111-0133 for property at 3205 and 3207 grand view street and 3206 west avenue and we are asked for postponement the august 2nd agenda and the number is c14, 44, c14-2011-0134 and asked postponement for the next 17 is harris branch pud 17 located on cameron road. The applicant requested a postponement of this item to your september 27th agenda. Item number 46, c14-2012-0048. This is the marriott property downtown. This will be the discussion item so we can skip this item because it's not going to be concept. Item 47, c14-2011-0165, at 3108 east 51st street. The applicant requested postponement of this item to june 28th. Moving on to the 00 o'clock public hearings and possible action, the first item for consent or for postponement, number 52 for the central austin university area central zoning overlay district and this would be a postponement by staff to august 16th, on this item, I understand the desire to be postponed to that day. Item number 53. This is a hearing on an outdoor music venue permit for the home slice pizza hat 1415 south congress. The neighborhood has requested a postponement and the applicant has agreed gently to a date of august 2nd to consider that postponement. Item number 54 is an outdoor music venue appeal, for lucy's fried chicken at 2218 college avenue. Happily the appellant's withdrawn their request after their negotiation with the property owners and no action is required in item 54. It is withdrawn from your agenda. Item number 55, mayor, is a public hearing and I don't believe we have any speakers signed up for it. So I could -- we could offer this as a consent to close the public hearing and to approve on all three readings this amendment to the lr zoning district. What it does is minimizes the size of a restaurant to 4,000 square feet and that was inadvertently left off the original ordinance. Item number 56. it is very innovative, by the way.

>> Guernsey: Thank you, mayor. Item number 56, another public hearing that will deal with regulation of outdoor amp theaters and similar zoning structures and staff requesting postponement of this item to august 2nd agenda. The commission yet to consider this item. Item

57 is another public hearing dealing with pedi cap storage around dispatch. Staff requesting postponement to item to your august 2nd agenda. Item number 58, I understand it will probably consider at 6:00 p.m. this evening. This deals with the imagine austin plan. Item number 59. This is a public hearing to amend the boundaries of the mobile food establishment regulations as they apply to the north lamar planning area and south gate neighborhood. Staff is requesting a postponement of this item to your june 28th agenda. And item number 60 is an amendment dealing with restricted -- restricted parking area map that would november the northeast walnut creek neighborhood and the south gate neighborhood association area and the staff is requesting a postponement of this item to your june 28th agenda. And those are the items i can offer for consent or consent postponement at this time.

>> Mayor leffingwell: okay. Let me red read this back to you, beginning with item number 37, postponed until june 28th. Item 38, postponed until june 28th. Item 40, close public hearing, approve on all three readings. Items 41 and 42, pose pone until august 2nd. Items 43 and 44, postponed until august 2nd. Item 45 postponed until september 27th. Item 47, postponed until june 28th. Item 52, postponed until august 16. Item 53, pose poned until august 2nd. Item 54 withdrawn. Item 55 we will close the public hearing and approve on all three readings. Item 56, postpone until august 2nd, item 57, postpone until august 2nd. Item 58 will be heard after 6:00 p.m. Item 59, postpone until june 28th. Item 60, postpone until june 28th. Entertain a motion to approve that -- those consent items. Mayor pro tem so moves. Council member spelman seconds. Is there any discussion? Council member tovo?

>> Tovo: Mayor, I would like the record to reflect my recusal on items 41, 42, 43, and 44. , Please.

>> Mayor leffingwell: okay. City clerk, council member tovo recourses on 41, 42, 43, 44. All those in favor, say " aye. Opposed say no. Passes on a vote of 7-0. Thank you. 30 briefing on what is it code -- form based zoning.

>> Airport boulevard form-based coding and we have finished our presentation and pending any questions you have and are available to answer any of your questions. Thank you.

>> Council member tovo -- i mean council member morrison had questions.

>> Morrison: Thank you. Thank you, I appreciate the work and I guess you said you had 68 meetings or something like that?

>> And counting.

>> Morrison: And counting. It is not over yet, for sure. And I did have the opportunity to go to liz mueller's presentation -- her class' presentation and they did some fabulous work and so I got to learn a little bit what was going on there and then I learned specifically that you mentioned one of the recommendations that you are adopting that you think is really critical. Can you mention that again in terms of affordability and equity.

>> Reading from their executive summary is the graduate program's report that we recommend airport boulevard initiative add to the vision of the future core of the equitable and sustainable affordability for residents.

>> Equitable and sustainability. How does that -- what is that going to look like? Because I know that's one of the the things that I had brought up in the very beginning, especially in terms of sustainability for the nearby residents.

>> Sure.

>> Morrison: As property values might go up in all. Do we have any possible tools that we can use looking at that?

[One moment, please, for change in captioners]

>> prioritize that those resources be made available to the -- this initiative and you would give them priority if they said, we're going to do it in the airport boulevard corridor as opposed to some other location where somebody may have to drive for every trip. and I know one of the recommendations that came out of liz's class was to, for instance, potentially prioritize rehabilitation of 30 and 40-year-old apartment buildings because those are, you know, really the gem of lots of our affordable housing.

>> Absolutely. one thing that I didn't hear you mention is what do you do -- and this is sort of a beguiling problem and it's the same sort of issue we need to talk about if we do rail. What do you do once you've moved through the transition area into the single-family areas where there's, you know, great affordable modest housing there to make sure as the property values go up and the taxes rise, those people don't get driven out of their homes.

>> We sort of thought you might ask that question.

>> Morrison: really? That's because I keep asking it and I still haven't gotten anything.

>> This is the question people are asking all over the united states. If we could figure out at least some partial answer to that it would be a big deal. I think the short answer is that first of all we've just in the process -- we've actually expanded, contracted, modified our planning area to look at the modification of potential existing single-family environments in the neighborhoods around the corridor to facilitate whether or not you could do accessory units or if you could do duplexes and triplexes. Well, that cuts both directions. So fortdd you look at a solution that has -- it has an unintended consequence. We're -- correct me if I'm wr jorge, what we came back to is we kept getting pushed further and further back into the areas. Encroaching on neighborhoods outside this project so we made a decision with the staff to establish the policy framework that would be the jumping off point to begin to answer that question in the next round of work, i should say, whatever that looks like. That doesn't mean that's the final place we've lappedded, but I think what happened -- landed but I think what happened is we started to fracture the coalition that emerged around the immediate corridor and the transition areas because there is not unanimity within the neighborhoods as to how that particular issue cuts, and so we didn't want to

destroy the momentum we had from a policy perspective in terms of all the other pieces of the fabric we're weaving together to have that become the tail that would wag the dog. But I do think we can help set up the next phase of inquiry about that and maybe if we can get that answer for this corridor and the adjacent neighborhoods, that can set the template to begin to answer that citywide. I don't think we have that answer yet. But I do think it's clear that there's got to be a way to prioritize available private and public sector resources to buy down the cost of housing to narrow that gap from market to affordable and attainable, and if there's going to be a prioritization, it should be built around those parts of town that are collectively working all the other pieces to make that investment more effective. I think that answer is emerging very clearly. and as you say, it's not just airport boulevard and this work that this applies so, and so it might be interesting to sort of capture all the places that it does apply and gather some working group on that.

>> And that's correct, council member, morrison. We appreciate the attention that this is getting because we plan to come back to you with a framework that could address all these broad issues that we want to take a look at in further studies that this council may direct us to do in the future and use that as a basis by which we take all the lessons learned and apply that in other corridors where we can start getting to those nuances of protecting the residential character of our dear established treasured neighborhood, which is the intent of what we're trying to do in the study. and protecting the character and physical character is one thing. Protecting the ability of the long-term residents to continue living there is the other thing, and we've had this conversation with respect to rail and there's some really interesting reports that have been done on rail and equity and exactly on this issue in denver and some other cities. I think we have something to learn there.

>> If we can set up a framework, and this is not just a study, I mean, we're literally talking about redesigning the essential infrastructure, figuring out how to pay for it over time, rezoning on a very large scale multiple properties, partnering with major public institutions, the county and acc. So if we can figure out a framework where we begin to find that sweet spot between encouraging the market to invest in rehabilitation while still maintaining the ability for other types of investments and taking advantage of the limited resources, then I think that's where we want to go. What we did early on is we met with the affordable housing community and we said, please work with us so that we're not being pushed to some sort of very coarse rule when you're talking about small-scale ownership. If you're talking about large parcels and you say something like, well, in order to get tax increment financing you've got to do, you know, 25% affordable housing, like we had the discussion at t. Here we have o come up with a much more nuanced strategy where you have a range of options, depending whether you own a property that's 50 feet and 100 feet deep or whether you own a property that's five acres. And so, you know, simple metrics apply in different ways to different environments along the corridor, so we want to come up with something that's more dynamic in terms of the policy. And so I think it has to be a combination of incentives and prioritizations for available resources and requirements for certain types of properties to do certain things that other property types may not be capable of doing. and that's one of the things in your presentation that jumped out at me, was the concept of on smaller lots, because that's one of the issues we have on all of our main corridors that concern us, the aggregation the lots, and then you lose the ability to have a lot of the character defining aspects of the businesses.

>> Absolutely. Absolutely. That is probably the most important part of our roll is to keep the scale as atomized and neighborhood-based as possible. We've been working with dean omny on that issue. He's been wearing both hats, the university of texas and the design commission. We're really open to input as we go through the calibration process on that issue, but I think that's our overriding theme, is to not necessarily rely on the notion that the only way to redevelop is to aggregate property.

>> Morrison: right. And then sort of related to this, when we're talking -- when you're trying to explain what form-based code is, we know that there is uses -- it's not that you throw out uses. Would you say that it's more that form is not dependent on use? Uses are still defined.

>> Yes. but you're just not defining the form in terms of the uses --

>> absolutely. so it's not so much we're throwing out uses and I think that's been a misnomer and a misunderstanding that's been projected. And then last question is i know the planning commission had a discussion, presentations from you all, and I understand there were several recommendations, is that right, that came out of their work, and I wanted to know what you're intending to do with those recommendations.

>> That is correct, council member morrison. And we are -- made commitments to the planning commission to take a hard look at those recommendations and come back when we go through the statutory approval process to tie back to those recommendations. Some of those we couldn't make commitments at that time, but we certainly committed to look at as many of those recommendations as we could apply and clearly delineate in the code where we've addressed those issues so that we can come back and demonstrate to the planning commission and the community itself that we were paying attention as far as the recommendations and demonstrating how the code attempts to address those issues.

>> Morrison: okay. Thank you very much. I appreciate your work.

>> Thank you. council member tovo? I just have a quick one right now. I know we need to move on but I appreciate the work and your saying as long as you have to come back and address the questions. As you look along the character map, can you help me understand how civic space will play into the characters -- into the -- whatever the terminology is, the other areas that are not identified as civic open space? Because of course it's, you know, a priority of our city, and I'm sure of the stakeholders who participated to make sure that we've got civic spaces, you know, integrated well with the other uses up and down that corridor, not just in the green area identified.

>> Absolutely. Council member, I think there's a parallel to the same desire to be as nuanced as possible, like on the affordable housing issue. There's several different opportunities within the corridor. First of all, just the whole notion of reinventing airport boulevard itself and redesigning it, reconstructing it as a people oriented corridor with great street elements. That alone is a civic space opportunity. The streets now become places for people within this area, and currently they're not. There is a couple of locations where there's an opportunity to convert frankly underutilized public lands into improved open space and destination, approved civic space

destinations. There are also opportunities to, depending on the size of the parcel -- to use the more traditional approach, which is if you're going to be redeveloping it and you've got enough land, there are certain obligations you have in terms of delivering additional civic space and open space, and there's a difference -- I should say open space and public space, on those properties. Again, down to the scale issue, if you're talking about very small parcels, it's difficult to ask someone to detain and provide water quality, on and on and on, so we'll have to figure out a way for those smaller parcel to participate in the economy of delivering good public spaces within the corridor and also we'll have to figure out a way to view civic space in a little bit different way because what we will want to propose in the coding is that you're going to -- we would want to require more creativity in how you actually deal with your site itself. So, for example, we would give you the opportunity, but you have to pick, on certain things like balconies, if you're doing a multi-story building, publicly if you're doing a commercial building, publicly accessible rooftops for restaurants, food courts. So the notion of the park is the only opportunity for civic space, doesn't always work in a redevelopment environment so we'll also to also find other civic spaces that we can encourage through the proper coding. I think when you put all of that together it will add up to a really rich civic space environment and we've got to find out where the appropriate place will be for an obligation to particular property or property type property investor and what's the public role going to be in terms of those opportunities for larger spaces and then how do you put all that together.

>> Tovo: great. Yeah, I appreciate the distinction you made. By no means do we want to just talk about parks and open space. We really do want to talk about the smaller opportunities civic -- opportunities for civic space as well.

>> Absolutely. that aren't necessarily green areas.

>> The bottom line -- we will set up -- excuse me, I'm sorry.

>> Tovo: go ahead.

>> The bottom line is we'll take the coding as far as we can in terms of requiring that full range and that again will set up the ability for the public sector to then figure out what additional resources should be efficiently brought to bear to put those destination spaces in play that none of the private sector smaller property owners could ever band together and do on their own.

>> Tovo: okay. Thank you.

>> Sure. any other questions, comments? Thank you very much.

>> Thank you, mayor. Thank you everyone. Appreciate it.

>> Thank you, council and mayor. Appreciate it. so council, if there's no objection -- these items would have been on consent except for a new state law that requires them to be specifically referred to with the following language, and so I'd entertain a motion that says with respect to items 27, 28 and 29, a nonconsent condemnation items, move that the city council of austin authorize the use of the power of eminent domain to acquire the properties set forth and

described in the agenda for the current meeting for the public uses described therein. This vote will apply to all units of property and items 27, 28 and 29 to be condemned. So moved by council member morrison. Second by council member spelman. Discussion? All in favor say aye.

>> Aye.

>> Mayor leffingwell: aye. Opposed say no. Passes on a vote of 7-0. And now council member morrison has a -- it should be a quick item, item no. 6. There's no one signed up wishing to speak.

>> Morrison: that's right. And I just wanted to make a brief amendment. glasgow, I think she's here. I can pass it out here. The question was we're ame ordinance from 1983 the question was whether we could strike certain items. The question is they're confusing and rather than strike them and lose the intent, I wanted to add sort of a combined piece of language, and that is add a 3 that says, development of the combined vacated area and beneficiary properties may not exceed 28 dwelling areas, and I think we've worked this with staff and the applicant, if there's glasgow, would -- do you have any issues to raise? No. That's fine. So with that I'd like to 6, item no. 6, with this amendment. mayor, I have a brief question. council member morrison moves 6 with the amendments that she passed out. Mayor pro tem, are you seconding? I will second and i have a brief question of the applicant.

>> Mayor leffingwell: second. Okay. glasgow, will you briefly explain what this amendment does to your project?

>> Yeah. Actually the new language accomplishes what is currently in the 2007 zoning case. We had requested to delete items 1 and 2 that are contained in the right-of-way vacation ordinance, because the way that language is written is slightly different from the language that is captured in the 2007 green zoning ordinance and was creating questions or ambiguities for potential buyers of the property. So council member morrison actually was involved before she became a council member on behalf of my neighborhood. She served on the planning contact team and was one of the people on the executive committee that negotiated the zoning change and we do have a private restrictive covenant with old west austin neighborhood association. So this language would really be in keeping with that language. So we are okay with that.

>> Cole: okay. Well, I appreciate that you've worked with council member morrison and professional staff and the neighborhood is also satisfied. Thank you, mayor. further comment? Council member riley. yeah, alicia, i just wanted to ask you a couple questions about this. This is an odd tract that is marked on the map west 11th street but of course there is no actual street there today.

>> Correct. the city has right-of-way there, which is today -- is today just a utility easement, as i understand it.

>> In 1983 the then property owner requested to acquire, to purchase the right-of-way, so it was vacated and sold for about \$15,000 to the owner then. So -- were you the city asked to retain a

public utility easement because there are power lines. Austin energy has some huge power lines that traverse the property. So from -- that go in from downtown all the way over the property. that easement goes all the way through from baylor over to windsor road; is that right?

>> No, from baylor to the terminus of the existing west 11th street. And if we can probably just cue up that map that is showing up, we'll be able to point out. I'm going to go over to the -- council members, some of you -- of course laura knows her neighborhood. The castle that sits up on the hill on west 11th street, the street that that the castle fronts on is west 11th street. The street terminates right here, so the access right-of-way that was sold to the property owner begins at this point and ends right here at baylor, and then 11th street continues from baylor all the way to lamar.

>> And alice, if you'd like at a somewhat bigger view, it is odd that the right-of-way would just stop there mid-block. Why is it that the right-of-way wouldn't continue on through to the next street?

>> Council member riley, i really don't know. The city -- well, when you look at the -- at least on google maps, if you look through there's a cul-de-sac on west 11th street coming off of blanco from the other side.

>> Correct. so it looks like this is essentially just -- there's -- that this section represents a gap in west 11th street. West 11th street previously went all the way through from blanco to baylor and now this --

>> the street was never constructed. the street was never constructed but the right-of-way went all the way through.

>> Correct. there currently is a street from mid-block going all the way over to blanco but then there's just the utility easement on the eastern half.

>> Correct.

>> Riley: right?

>> That is correct. That is owned [inaudible] owned by the client. what we're left with is essentially a super-block in the middle of this very dense planning and on otherwise pe dead industry and oriented neighborhood. -- Was there any indication at the time this was vacated of at least retaining an an easement to allow a pedestrian to access, even if we were vacating right-of-way for vehicular access through the block?

>> Council member lorraine riser, real estate. I look back at the original file from 1983, and it looked like there's a 60-foot slope in that area and I do believe that's why the road was never built was because of the incline of the area of that land, and so there was no request at that point in the file for anything other than a public utility easement for the austin energy line. so you're saying there was no consideration at all about retaining an easement for pedestrian access?

>> The file does not have that information in there. and of course there are plenty of streets in this city and in other cities around the world where we have slopes of -- at a greater degree and in many cities, even when there's not vehicular access there is still pedestrian access allowing, even on very steep inclines, and what that tends to do is it actually makes a neighborhood more permeable and more pedestrian friendly, because you have smaller blocks and the neighborhood is easier to navigate, especially for pedestrians. And so I'm just wondering if there is an opportunity here to revisit the issue of whether there could be -- whether there would be any value in considering a pedestrian access where there is currently a utility easement.

>> We currently have sold the right-of-way, so we don't have any right to do that without either the applicant granting it to us or selling it to us.

>> Riley: okay. So do we expect that there would be any subsequent zoning case or other opportunity to discuss pedestrian access or is this really it?

>> This is it. We are not -- we rezoned the property in 2007 in association with the neighborhood association. At the time it took us a year to just negotiate because the property, as you all remember, was in bankruptcy court from -- previously the property was owned by gary bradley and through that bankruptcy there were 15 lawsuits, through which my client was able to resolve and purchase the entire property, and the judge at the time told my client that he couldn't just purchase the castle. His interest was just the castle. The judge said you have to buy the entire plok from baylor, all the way to blanco block all the way from baylor to blanco. And council member morrison who was a neighborhood member and the neighborhood association, one of the things we were asked to explore was to talk to austin energy about possibly having a stairway built down to austin -- as you asked, a pedestrian access and I will read you an email back from judy salaban because that's one of the things we have to report back to the old austin neighborhood association. It reads from judy baylor, austin energy. glasgow, thank you about your inquiry about placing a stairway in the vacated right-of-way on west 11th street. I consulted with todd seanberg. Our line crosses the area diagonally and bawlt slope in the vacated right-of-way fefl the stairway would pose a safety risk to pedestrians as well as our employees. In addition, I spoke to one of our construction crew members and he said he was familiar with the area and also believed it would be a safety risk. And she indicates she had copied the appropriate staff in the there was a future follow-up. Thank you. and the stay way would pose a safety risk because of the utility line?

>> Both because of the slope and also the fact that you have the power lines that are currently on the site. So you had both the power lines were part of the safety. Of course the slope has more to do with, well, ada and other matters, so -- so that was the email back from -- since I understand council member morrison may have been involved in some of these discussions, i guess, if I may, mayor, if i could just inquire as to whether council member morrison has any knowledge of any discussions about the possibility of pedestrian access through this area. we absolutely did have discussions, myself and other neighborhood folks that were talking with the new owners of the property were very interested in adding a connectivity for the neighborhood, because that's a strange -- if you look at google maps, you can see, there's a strange breaking off of baylor between 10th and --

>> riley: exactly. and 9th and then you have 11th is cut off so it would have been a great addition. So we did talk with the folks and they, as glasgow mentioned, did inquire and say, well, let's look into it and see if we can do this. And when we got that back from austin energy I guess that was in the days when i just thought, well, when austin energy said it wasn't safe, it wasn't safe. We didn't go beyond --

[laughter] didn't push it and ask more questions beyond that. and I guess I'm just a little puzzled about that because having been on stairways around the world, I know that it is possible to have a stairway that is not inherently unsafe. We've had many stairways in this city that are open to pedestrians and are considered reasonably safe. And so I'm -- and so I'm a little puzzled. Is there something that's considered inherently unsafe about having a stairway there?

>> Well, council member, that was probably a question that is best addressed by the appropriate city staff regarding the safety concerns because the safety -- austin energy was looking, obviously, at the power lines in addition to -- more so than probably just the incline, I would think. I would also like to add that in my recent meetings before I brought this item -- we were going to add this item for six months now, just trying to figure out how to get it here because apparently it's the only such ordinance the city can remember that has zoning conditions in it and subdivision restrictions in it but because of the right-of-way vacation. In my meetings with the neighborhood, they're concerned about the graffiti that is currently there, the slabs that are remainder of the previous property that collapsed because of soil problems. The slab that is current there is an attraction for graffiti artists and so some people think it's art but for others it's somewhat offensive. The other concern given what I've heard recently would be a stairway would probably, possibly, have a similar attraction for -- just something to think about. But I think it would probably be more appropriate for either council to ask staff to explore that possibility further other than just me addressing it. alice, is there time sensitivity to the issue -- to this issue, to this item? Would there be -- would there be problems associated with holding off on this item for a couple weeks to give us time to look into that issue and just see if there is an opportunity to provide pedestrian access through the site?

>> If it's council's desire to delay for two weeks, I -- we can accept that. , you know, I'd -- I think it might be worth given that there was -- there was neighborhood interest in that in the past and would provide connectivity in this very dense neighborhood. Evening it might be worth looking into whether that is a possibility here. So -- I think it might be worth looking into whether that is a possibility here. If it's acceptable to my colleagues, if I could offer a substitute motion that we might postpone this item for two weeks to look into that issue about whether there's an opportunity --

>> that is a substitute motion, and certainly it's acceptable to all of us that you make a substitute motion, by council member riley to postpone to june 28.

>> Morrison: second. Second second ed by council member morrison. Further discussion? Aye? Opposed? Passes on a vote of 7-0. So if there's no objection, council, real quickly we'll go into recess of this city council meeting and call to order a meeting of the austin housing finance corporation, if you can take us through what I believe would be the consent agenda.

>> Good afternoon, board of directors, betsy spencer, treasurer of the austin housing finance corporation. We have three items before you, which I offer on consent and am available for questions. so the consent agenda is items 1, 2 and 3?

>> Yes, sir. i would entertain a motion to approve the consent agenda. Council member spelman moves approval. Council member martinez seconds. I do have one question. council member morrison. spencer, i have one question. On no. 2, it looks terrific. We're getting some home access money. Can you explain what that is? And my question is, how are we going to do outreach and is it sort of like first-come, first-served? How are we going to figure out who would have access to that?

>> This is a reservation system, one of the things that tdhca has done instead of a competitive process is a reservation system. So it's first come, first serve for us to be able to apply for the funds to utilize them. We will use this for our existing programming that benefits individuals with disabilities to do home repair. So through our current application process, when someone is eligible then they'll be able to apply.

>> Morrison: okay. So we already have basically an ongoing program and this is adding to the pot.

>> Yes, ma'am. okay, thank you. all in favor of the motion to approve the consent agenda say aye.

>> Aye.

>> Mayor leffingwell: aye. Opposed say no. Passes on a vote of 7-0. That concludes the agenda for the austin housing and finance corporation. Without objection we're adjourned and I'll call back to order this meeting of the austin city council, and that takes us to, 1 on the agenda. Council member tovo.

>> Tovo: thank you, mayor. Well, for this we're going to have to revisit our austin energy work sessions which I'm sure my colleagues thought we had put behind us, but in looking over the minutes I do think that we need to make an amendment -- a correction, rather, to the minutes. If you notice, it talks were -- there was a moment where council member spelman had -- had suggested that with regard to the customer assistance program, that certain -- certain of those programs -- that the staff used a priority for getting citizens into the customer assistance program. We had a discussion about it, and in the end, and i can read the transcript, and, in fact, maybe I will, we did have a discussion about that, the mayor, you said, I think we're making this way too complicated. I'd prefer we just list the organizations right here that would make someone eligible, give austin energy the ability to administratively manage it. Council member martinez, you agreed. You said we need to stick to the proposal made in the motion. That was my suggested amendment. And then it was wrapped up by council member spelman saying I would consider the amendment to be friendly. And so it is -- it was my understanding from that discussion that my original amendment, which was to expand the eligibility for the customer assistance program to include the programs that were specified, though I was willing to accept your friendly amendment that we have staff prioritize those, in the end we reverted back to the

original amendment, which was to keep the eligibility. okay, so if I -- I'm sorry, but as reflected in the minutes -- let me just --

>> tovo: sure. -- tell you how we have to proceed. It's my understanding that we have -- the question is whether or not the minutes accurately reflect the action taken. And so you don't agree with that. Others have agreed that the minutes do reflect the -- reflect the action actually taken. So the options are to vote to -- either vote to accept the minutes or not to accept the minutes. If we were to actually change the minutes, being that this is what factually happened according to our best understanding, we would then have to repost an item to the objective of the item at a future meeting would be to rescind the action taken and revisit the rate case. That's my understanding of the way we would need to proceed. So we need to -- the question before us is whether to accept the minutes or not accept the minutes. well, mayor, if i may -- council member tovo. I'm not sure we've had a discussion about it so I actually don't know what my -- I would like to hear from my colleagues about whether they feel -- what their understanding of the motion we were voting on was and whether they feel it's correctly reflected in the minutes and whether or not it needs an adjustment, and if we need to -- if you need time to -- council member spelman, you proposed the friendly amendment, so what is your understanding? this may be more a question of whether there was an accurate recording of what happened on the dais as whether there's -- the problem -- proper procedure was followed or what would be proper under parliamentary procedures. As I understand it, I don't have a copy of the minutes in front of me, you proposed in the amendment,

[inaudible] friendly. I proposed an amendment to your amendment, which I was under the impression at the time that you agreed that that would be a friendly amendment to your amendment, and then I accepted it. So it's my understanding that under that chain of circumstances, when I accept the friendly amendment, it would be the friendly amendment as amended by you -- friendly amendment as amended by you. and see, I thought when the mayor made his comments and when council member martinez made his, that we reverted back to the original amendment. I'll have to defer to some greater power but I see karen is getting ready to -- let the city attorney make a comment. mayor, can I ask a question, please? city attorney wants to make a comment first.

>> We did -- andy pernea in our office went back and looked at the video -- audio recording of the meeting and I also believe the city clerk did, so I believe your remembrance of the circumstances is what he saw, and I won't speak for the clerk, but we believe that your friendly amendment had been accepted by you, which meant that, yes, when the vote was taken, it was then in the overall amendment that was put before the body. which amendment, then? As originally proposed?

>> No, as amended.

>> Spelman: as amended. in other words the conclusion is --

>> that the minutes reflect the action that was taken. We went back and I can't tell you how many times he looked at it but he could maybe speak to that. I believe also the clerk reviewed it. So I don't -- I don't -- and I believe that's why she reflected it that way in the minutes.

>> I did review them. The deciding factor for me was we tend to focus on what the mayor says right before he calls the vote, and when he got to right before the vote, he -- you may remember an exchange in which he said, larry, you may be the only one in the room that knows what the amendment is, and there was some joking about that, and then he said, it is this, and he held up your paper with the amendment on it and the priority, and so my assumption was he was talking about council member spelman's priority list since that was the only priority we talked about. So that was the determining factor for me, that that had been incorporated in what's the vote that was being taken.

>> Tovo: okay. So that doesn't jibe exactly with the transcript, does it, or the actual words that -- nonetheless, I guess that's where we -- that's where we are. So if we need to make -- i weis understood the direction and the intent of trying to expand our program to all of those groups.

>> Mayor leffingwell: okay. Mr. [inaudible]?

>> First I would like to say that I agree with what shirley just said. I think there was the one other factor, and I have watched this tape many, many, many times.

[Laughter] and the other -- I'm sorry.

>> The other factor is that after -- and I can even tell you minute marks. After council member spelman proposed his additional language, the mayor actually asked, would you be willing to modify, you know, your -- your amendment? And you did [inaudible] with that. At that point it seemed to me that the motion -- that you had modified your motion. And I agree that, you know, in the intervening time the residential rate adviser came up and spoke. There was additional comments from council member cole, and I agree that the waters may have gotten a bit muddied, but then I think it comes back to the summation by the mayor, and at that point, you know, he said that the motion included the original written motion plus the priority direction that had been discussed and the understanding that austin energy would have the ability to manage the program and would report back to council on progress and on funding issues, and i think overall, I mean, i think the understanding was clear throughout the discussion that I think -- and I don't want to tell council members what they were thinking, but it seemed that there was at least a consensus on the fact that, you know, there was an objection, really, to the concept and that there was an understanding that there would be limited funding and there had to be some way to manage the program and that reporting would come back. Again, I -- you know, i understand that there's -- there may be some room for debate, but it's just -- you know, as we had to call it, I think it did appear that particularly as the smonation was summed up at the end -- the mowing was summed up at the end, and motion was summed up and that's the duties of the chair to do that, to sum it up, and it seemed the priority language was included, and so that was our understanding.

>> Tovo: okay. purney for that detail. It sounds we went -- the subsequent discussion sort of went in a different direction from what council member spelman proposed and that was what we agreed on but the direction to staff i think makes it a little bit -- follow the intent.

>> And I'll just point out too that there was some discussion about the fact from the mayor that, you know, that there was complexity being added on to, but again, that was also after council

member cole began to introduce some additional language, and i think at that point the complexity issue was

[inaudible] so I think in my mind there's an issue about whether the -- whether the intent to go back to the, quote/unquote motion, was to go back to the way it was originally written or to simply go back to the way it was currently understood before council member cole's proposed amendment.

>> Tovo: right. mayor, I just want to make sure -- mayor pro tem. -- that we're clear on exactly what the motion was, what the amendment was, and what we are saying the intent was. And I'm satisfied that the record was handled properly. I'm just not clear on that. I don't know if that's a question to council member tovo or the mayor or -- i just -- I just want to make sure that everybody is clear on that. well, I think the fact question is that after thorough examination the minutes accurately reflect the action taken. So the question is, do we want to approve the minutes or not approve the minutes. If there's something -- some changes to be made to the action taken, then that could be done at a future meeting, but it would have to be properly posted. We could not go back at this point and change minutes because that would not accurately reflect the action that was taken. okay, and i understand that we cannot change the minutes at the time if we're not posted for that and it was handled properly. I'm just wanting to make sure that we -- that that -- that, a, that happened, and b, that we're clear with the direction that you gave when you made the call at the end of the meeting. So would you just simply remind us of that? remind I don't have the paper in front of me now.

>> Cole: oh, okay. pu rney will be happy to recap that.

>> Cole: could you do that? I know there was a lot of discussion, coming up again be, we're not going to reconsider it. I want to make sure the factual issue is laid out. we can't reconsider it.

>> Cole: I said we're not.

>> So the question is what is our understanding of what the amendment was.

>> Cole: exactly. Exactly. What are you doing now?

>> The -- and again I don't have the minutes in front of me, but it's -- my understanding of the motion of the -- of the amendment as summed up was that it was the original written motion that was submitted by council member tovo, along with the priority direction that was discussed as part of the friendly amendment, plus the understanding that austin energy would administer the program and report back to council as the program progressed. the customer assistance program.

>> Yes. okay, we just didn't make a clear record.

>> I'm sorry.

>> Cole: thank you. so I'll entertain a motion on item no. 1. move approval, mayor. mayor pro tem moves approval. Second by council member spelman. Further discussion? All in favor say

aye. Aye. Opposed say no. Passes on a vote of 7-0. And again, council member tovo, if this was not your understanding or your intent, you're always -- you always have the privilege of bringing forward an item from council to reflect any change you might want to happen. I just hope we don't have to reopen the entire rate case and -- well, mayor, let me assure you I'm not interested in reopening the rate case. I think we made some thoughtful decisions and I'm happy to move forward, and i think with the additional direction that we offered staff, I think we're all on the same page in terms of moving forward with that program.

>> Mayor leffingwell: okay. So we're not going to get finished with it, but we can take up items 15, 16 and 21. We'll have to take action separately on these three items but we can hear any presentations and comments and from the public on 15, 16 and 21.

>> Mayor leffingwell: okay. So -- shall we go ahead and hear from the public on these items? We'll begin with mary steele. Three minutes.

>> I am mary steele with adapt, and I agree that the taxicab -- all the taxis they want. Before they do that, can you please take it [inaudible]? I need a ride too. And I can't get a ride

[inaudible] insisted they take all these -- get these wheelchair taxis. Something is wrong there. So please, before you give out all these extra things that they're asking for, and I know they do need them because they wouldn't ask for them if they didn't, i don't know who's responsible for getting them to begin with. Adapt was, and now adapt can't even get a taxi. Something is wrong. Thank you. council member morrison has a question for you, ms. mary. thank you for coming down. I wanted to ask if you don't min sharing.

>> Sure. and I don't want to hear names, necessarily, specific franchises or whatever, specific companies, but do you generally call one company or you do you spread it around or call all three and see if anyone shows up?

>> I call them all but only one shows up. when you call them, are they able to tell you whether or not they'll be able to get you an acceptable car?

>> Well, usually when I ask for a taxi, they say, sure, and they tell me 20, 30 minutes and then I say it has to be wheelchair. And then they say, we'll have to call you back. And sometimes they don't call back, or sometimes they call and say, we'll have it in an hour or so. So a lot of times I have to call back and say, cancel it because I already missed my appointment.

>> Morrison: I see.

>> And the taxi [inaudible] is not as good as yellow. Because when I call they come. They are the only ones. They don't tell me, I'll have to call you back. They just show up. And they're on time.

>> Morrison: okay. Thank you very much I appreciate you sharing that.

>> Cole: thank you, mary. Next we have hila salehbats signed up as neutral. Hila are you here?

>> Stepped out for a few minutes. I'll call him next when he comes back in the chamber. Berl steele? Berl steele?

>> [Inaudible]

>> cole: okay. Would you like to make comments?

>> I'm very concern. First, my name is beryl steele from adap, and I'm concerned as my wife stated. She calls a taxi and it doesn't come when she needs it to come. And I'm really afraid because she has to go to the -- see the doctors and things much more than me. B kind of upsets me, and I just want them come -- improve their service, because even if i take a chance on getting a taxi, I don't want to wait an hour or nothing like that. If I call a taxi, I expect it to be on 15 or less minutes. And, you know, first, I'm neutral, because they upset me, because of them coming and, you know, the length of time, longer than an hour. It really upsets me, but this is the world I got to deal with, so -- but thank you.

>> Cole: thank you, berl. Next we have la shiuana quintera.

>> Hi, how are you? My name is la shanna quintera and I am bery steele and mary steele's pa and I am also an adapt volunteer participator, you might as well say, but my concern is that in the past since I've been taking care of them, they have called several times. Sometimes they need a cab together because they have to go places together, and unfortunately that's not possible. And they also have to go places separate. So for me to go with them, it's almost like when certain cab drivers find out that they are in wheelchairs, it's almost like a burden to them over the phone that they're in a wheelchair and they don't want to come. And I'm not pleased with that because they are human beings just like we are and they should be treated the same way. Isn't that the reason why we have a lot of our bill of rights and things of that nature, to protect us, so why aren't they going forth with it? They should be able to provide a service the way they are supposed to. They get paid just like everybody else does to do a job and they should perform it with a smile on their faces because everybody's money is the same green, as coal i appreciate your time. Thank you. thank you, ms. quintera. Mel boit? Okay.

>> My name is melanie. I'm with adapt texas, melanie boit. I am not for lone star getting more cabs because they're not equal. Thank you.

>> Cole: thank you, melanie. David witt?

>> My name is david witty, I'm with adapt, texas and i guess since you're taking three items I get nine minutes for all three of them. But I don't think I'll take that long. First I want to tell you that adapt texas was probably the catalyst, certainly one of the major reasons that austin has wheelchair accessible taxicab service at all. Over ten years ago I went back to the records, like in 1998, adapt got involved in getting wheelchair accessible taxi service, so we were critical to get the services that we have. And unfortunately they've declined in usage, availability for us over the years, and I know part of the reason is because people live on fixed incomes, like a lot of folks with disabilities do, can't afford to buy taxicab services all the time. They use paratransit or they u fixed route services which I'm glad both of those services are available. But in those few

times when people with special needs or disabilities have to have a taxicab, they really, really need a cab. 00 in the morning when they're getting out of the hospital emergency room -- 00 in the morning when I was getting out of the hospital emergency room, when I have a doctor's appointment that's half a mile down i-35, where there are absolutely no sidewalks, I need a cab. When I need to go someplace after midnight or during sxsw, when I get out of a todd rund green concert late at night, I need a cab. There are a lot of incidents and examples when I need a cab and when people with disabilities need a cab, when they're having fun or going to the doctor or just when they want to get a ride home from the grocery store like a lot of people do. We're supposed to have equivalent services which are guaranteed under the americans with disabilities act 1992 taxicabs have non-sedan new vehicles which most of the cab companies in austin do, are required to provide equivalent services. They're not doing it under the ada. But you all don't enforce the ada. You do enforce the city of austin ground transportation passenger services ordinances, which I have a copy of. So one thing that the cab companies, specifically lone star cab, is not doing is not providing taxicab service to the general public, which is under 13-2-343, a franchise owner may not refuse to provide taxicab service to the general public to and from any point inside the city that is accessible by public street. Well, guess what? We're the public too. We need that taxicab service. Another problem is the franchise holder shall respond to each call received for service inside the city as soon as practicable. That's 13-2-344, prompt response required. It's in the ordinance already. Right now there's inconsistent performance from most of the cab companies.

>> Cole: thank you, david. Can you wrap it up in five seconds or 15 seconds or more?

>> Well, I'm speaking on three different items and i thought I got three minutes per item. they are all combined so it's three minutes total. But if you want to do closing --

>> well, the point is -- let me just sum it up. Lone star cab does not deserve to get a franchise for three years because they're violating your ordinances, many of them. Yellow cab is asking for additional permits. They deserve them because they're at least trying to come up with a model that they can use to get a consistent delivery of accessible services and council member riley's suggestion for documenting practically and making performance measures that work, which are already in the ordinances, but they're not being applied consistently and they're not being used properly, so we recommend and we approve -- and we hope you -- and we encourage you to pass that ordinance.

>> Cole: thank you, david.

>> Revision.

>> Cole: mishila loatssi. Will you help me when you get up here? Haila salotsi.

>> I'll spell it for the record, heiwa salobzm with adapt texas, and we did not realize that combining all three items limited our civil rights to three minutes, but I'll be fast. I don't support lone star getting a pass on their franchise agreement because it is not equal and equivalent service, and they are owner operated so they know better. Next, I do support item no. 16, And adapt strongly supports councilman riley's -- no. 21. And it's very sad that we have to support a

stronger version of what you all are not doing. So, you know, like david 00 in the morning and I need to take a cab, just like the rest of you, I should be able to take a cab. And if a driver has to work 16 or 24 hours so I can take a cab and he gets paid to do that, he should do that. Thank you.

>> Cole: thank you. Will mcLeod is signed up and next we'll have nelson pete.

>> Yes, I'm against the items that were bunched together. I did not know that these items were bunched together until the last minute. I don't know if that's technically ethical, but that's beside the point right now. I'm talking about yellow cab and lone star cab and all the cab companies. The city of houston has -- did this new program called the wave, which is houston's shuttle service, and for years and years and years there was an ordinance in the city of houston that banned private jitny services. Judge rainy back in 1995 ruled such a ban was unconstitutional and violated the 14th amendment to the united states constitution. Why can't we -- you know, why can't we have the waves here? The wave, you know, charges a fixed rate amount per zone and it's a competitor, that's right, a competitor, privately funded competitor to houston's metropolitan transit authority of harris county. They've been doing this for almost four years. We can do imagine 21 and imagine austin and agenda 21, whatever -- you know, all these other big government subsidy programs, we can do no problem, but when we're talking about fixing austin public transit and making it accessible to all, we're not mentioning this. We need to find some way to put private jitny services in the city of austin, just like houston. It's a cab. It's a hybrid between a taxi, a limo and a public bus. They've been doing it for four years. We can serve parmer, we can serve other areas where there's not any sidewalks, not accessibility. And for someone who receives their electric bill every month, I have one little quick bit -- sound bit on the austin energy, item no. 1, Which I signed up too to speak. I wanted to say this. The city is not complying with the americans with disabilities act. You need to take that lie off of our electric bills. We're tired of getting lied to. Either take it off or reword it to where it's not false and misleading. But, you know, if you want to learn more about the wave, which is the private jitny services, if you care about austin, go to the wave, google the wave, houston's jitny shuttle org, and scroll down to other transportation options and they have a whole slew of options. Why are we being left out? Why is it that, you know, all these new cab companies do not have -- all these new cab cars, they don't have wheelchair equipment -- wheelchair lifts. The ada is -- has been required to do that since 1992. Well, it's time to shape up. Thank you.

>> Mayor leffingwell: okay. We're really out of time, but if there's no objection council will take one more speaker, nelson pete. And then we'll go into -- we'll table this until after our recess for live music proclamations. Nelson, you have three minutes.

>> Good evening, council. I guess I really have one minute per item. And I'll try to use it appropriately. So on item 15, for lone star cab company, getting more permanent -- as you can see in the item, they just want more permits. They didn't say anything about more permits for accessible -- accessibility. So I'm against item 15, unless they want to distribute their services fairly and appropriately for all individuals. And on item 16, for yellow cab, I am for that, for them getting more permits, because actually yellow cab I receive the best service from yellow cab. But, you know, as far as public transportation, you got the bus, the main line bus, which is limited area. And for accessible services, we have metro access, but that's limited to

[inaudible] which is a quarter mile past the last bus stop. And then you got cars, but they're only for medical transportation. And then we have cabs, and so cabs have to fill in, and plus the bus and metro access and carts don't work 00 on sundays or midnight, or carts doesn't work on weekends. And the bus doesn't run 00 on sundays. So all that are left is cabs. And if we need a ride, my wheelchair, I'll be lucky if I can go ten miles in my wheelchair on a full charge, and then I got to recharge it for eight to ten hours to get a full charge again. , You know, so I live on metric, and I'd be lucky if I made it down there to brackenridge hospital in my wheelchair. But I'd have to be there to charge it up for ten hours before I could go home. So public transportation is a heavy service for me, and we need to get everybody to use it appropriately and fairly, for everybody. Thank very much. Oh, and I am for item 21, for getting the recording of the services better maintained so that we can have a more accurate outlook of how these cab companies are providing service. Thank you. thank you. So without objection, council will table this item, items 15, 16 and 21 until after live music and proclamations. And we are now in recess.

>> We're ready. Good evening, everyone. It's time for our live music and proclamations and joining us today is the austin punk rock band, and i apologize, I'm just reading this. If it offends you, I'm just reading this. They chose this name, joining us today is austin punk rock band the midgetmen, alex, victoria, john, justin, petro and mark perlman have been performing together as the midgetmen for more than a decade, called austin's slop punk may have beens by local writers, they keep getting louder fuzzier and more fun which is all they've had wanted to do since forming in 2002. The last decade thief planned with the wrens, tight, us, free energy, ezra, the harpoons, grand harp and the misguided lemmings. They have released four albums, played around the midwest and northeast and celebrated 10th anniversary at the mow hawk. Plet help me welcome the midgetmen.

[ ♪♪ Music playing ♪♪ ]

[applause]

>> martinez: all right. How appropriate was that? I think there are seven people that sit on this dais behind me that have taken your dare bravely. And we do it every thursday.

[Laughter] so do you guys -- by the way, the name of that song is dare to be stupid, if you didn't hear. But thank you, guys, for that. Do you have a web site where folks can go check you out?

>> [Inaudible]

>> step up to the mic.

>> [Inaudible] midgetmen.com.

>> And so tell us where your next gig is going to be, if you know.

>> Tonight at stubbs.

>> Tonight at stubbs. Maybe we'll get out of here early enough to go check it out. I doubt it. Very seriously.

[Laughter] so where can we buy your music if some folks want to purchase your music? com

[inaudible].

>> Cool. So just on itunes, how about your introduce yourself and the rest of the band.

>> Mark, june,.

>> Justin.

>> I'm alex.

>> All right. Guys, well, I have a proclamation on behalf of the proclamation and the city council, I'll read it and present it to you. Be it known whereas the city of austin texas texas is blessed with many creative musicians whose talent extends to every musical genre and our music scene thrives because we support legends and newcomers alike and we are pleased to showcase and support our local artists, therefore, i lee leffingwell, mayor of the live music capital of the world do hereby proclaim june 14, 2012 as midgetmen day in austin, texas. Congratulations, gentlemen.

[Cheers and applause]

[cheers and applause]

[cheers and applause] /

>> so now we have severalplaques to hand out in honor of austin's green business leaders. Austin is -- we've always been proud of the fact that we're a green city. We do our best to keep that reputation, and we're going to let mark hudare tell us a little bit about the program and then we'll present the plaques.

>> Thank you, mayor. Thank you, city council. And thank you to our fearless leader, city of austin, chief sustainability officer. And hello, everybody, and welcome to the first annual austin green business leaders award. It's sort of a misnomer because the program, the austin green business leader program has only been around for two months so it's not really the annual green business leader award yet. Let me rephrase that. Welcome, everybody, to the one and only green business leader certification give-away and free awards ceremony. Over the last year office has work tirelessly to create a program that supports austin businesses in the pursuit of sustainability. In creating the program we worked closely with nearly two dozen businesses that are local to create the programs that has both four business -- for businesses but also programs built by businesses. These businesses that went through the program are called founders. And today we want to recognize those founders, plus the businesses who have actually gone through the program since we launched in late march. But before I do that, I also want to touch on all the

great city departments that helped us create this program, because it's really key. The key program is a downloadable scorecard that connects back to incentives, educational pieces and rebates. I see some of them here. I want to recognize aiden cohen from austin resource recovery, jacob johnson from austin water, the list goes on, terry moore, austin energy, I can't forget preston stewart from egrso. Jennifer goalish from cap metro. They worked over the last year to create what we're proud of, austin green business leader program. Today I want to recognize the founders and the businesses that have already gone through the programs. I want to ask all the gold recipients to start -- i guess stand up and get closer here and I'm going to read off each business in alphabetical order to come up and take a picture with the mayor. So when I call your name come up and hug the mayor or shake his hand, however you want.

[Laughter] and abe here will take a picture. Well, no further ado. I hope you brought some hand sanitizer. The first one is actually buenos aires cafe. Is pablo here?

[Applause] there you are, powell. Buenos aires, you might recognize powell from our web site. We actually had the press conference at her buenos aires cafe. We'll have a picture. Thank you. Actually I skipped over one. I heard sasha peterson is here with adaptation international. Here we go.

[Applause] next is circular energy. Charlotte.

[Applause] they are so new to the program that we had the site visit yesterday morning. Next is cp&y incorporated, an engineering firm.

[Applause] I really appreciated cp&y because of one fearless leader that I said I would say his name on the air, andy ellis who could not be here but he was valley influential in the program. Hoover incorporated, a d & b company.

[Applause] I'm not sure if elliott from images of -- I was told that he might not be here. So I'm just going to move on. Journeyman construction.

[Applause] construction firm that --

[applause] you might recognize journeyman construction. They've completed a number of leed certified buildings in austin. I'm going to go ahead and call the next one. Office depot. You guys are actually taking up slack for two facilities.

[Applause] now, you'll hear me mention office depot again because they're also in the platinum area tier. Next you have three stores in the program, and they've told me, although not on the record, that they hooked up all stores austin hope to have all stores in austin in the program by the end of the year. Next is organics, by gosh.

[Applause] it's hard to talk about sustainability in austin without talking about organics by gosh. So I'm not sure, I think press 8 telecom, I'm not sure if they're here. Move on to round 2.

[Applause] is silicon laboratories here? I figured wouldn't be very long but --

>> [inaudible].

>> Sxsw.

[Applause] I think we're really proud to have sxsw on board and i think it gives us some street cred. Texas mutual insurance company. Thanks, kathie.

[Applause] urs corporation.

[Applause] urs is actually the birthplace of our client protection manager zack bomber.

>> Birthplace?

>> That's right. He came out of urs out of nowhere.

>> Wash dry laundry. This is for brodie and oak hill.

[One moment, please, for ]

>> let's talk about platinum. We just talked about solid gold. Can we get the platinums to move up closer to the front. I want to start with barr mansion. I saw melody come in. There she is. Another fantastic local turn.

[Applause] next is dell, dell incorporated.

[Applause] eco chic. Ms. harper. There she is.

[Applause] I don't know if I'm supposed to say this, but harper madison is supposed to open a new store soon, so keep your eyes open for beautiful flowers. Enviro social media marketing.

[Applause] the next is goodwill industries of central texas.

[Applause] you're getting two plaque, one for the goodwill community center and one for the goodwill resource center. House and earth. I saw scott around here.

[Applause] that was really important to -- scott was really important to the process because he told us how important it was to gear this towards tenants and less about owners, and now they're platinum. Office depot again.

[Applause] this is for the leed certified store. Pearson's.

[Applause] pro graphics.

[Applause] rack space.

[Applause] a very enthuse crack tick group of sustainable design leaders, but also a very fun office space. Samsung austin semiconductor.

[Applause] next is shaw group, environmental and infrastructure.

[Applause] next is snap's kitchen. This is for the sixth street and the triangle location.

[Applause] texas saki company.

[Applause] rice has been in the history of austin, or at least texas for a long time, so it's good to see somebody actually use that local product. Whole foods market.

[Applause] and laugh but not least, wyndam garden hotel.

[Applause] thank you so much. So we are now going to ask the participating businesses to please join us on the second floor for a little bit of refreshments -- wait, photo.

>> Oh, group pictures for flat platinum. I'm so sorry.

>> Now is the reception for all participating businesses on the second floor. Thank you very much. Now we're going to talk about the mayor's fitness council, health and fitness council it is. Established in 2004. They meet here in city hall once a month. And I think we've got a lot of noise in the back, so i hope you can hear me. The mayor's fitness council works to maintain the reputation that austin has as the fittest city in america and we have a bunch of people who are dedicated to that cause and of course normally we think about the mayor's fitness council in terms of running races, exercise, that kind of thing, but now a great deal of emphasis is being placed on other aspects of good health such as nutrition. So I am going to turn it over to the chair of the mayor's health and fitness council to tell you a little bit more about what they're doing. Lou?

>> Thank you very much, mr. mayor. Thank you very much, councilmembers. And thank you all for /being/( ing)about here. The awards we'll be giving out today are based on a program that we initiated several years ago called the mirrors of now health and fitness council partner certification program. The program is designed to recognize local organizations for their dedication to implementing effective workplace policies and strategies and to date with this group we've now certified in austin 23 local organizations. And we're going to be recognizing seven of those organizations this evening. I'd just like to give you a background on a few of the organizations that have already been certified. They include, for example, the city of austin, frost insurance, ronald mcdonald house, samsung, brentwood christian school, richard lee slaughter associates, simply feet neals, capital metro and graves, dougherty hair ron and moody as an example of some of those organizations. So we're very proud of those companies for already being certified. So I'm really pleased and honored tonight to participate in awarding these additional seven organizations. Mayor's health and fitness council certification. I'd like to start and read a short piece, and in answer to a question that we ask these organizations in terms of where did they want to participate in this program and why did they want to be a certified partner, and this will kind of describe some of their feelings and motives. Our first award -- we're

going to start from the highest level award tonight is to seton health care network. They were actually the first organization to become certified as a mayor's fitness council partner in 2006. And they've now continued to work on that certification and have become the first organization to achieve our gold level certification. And what that really means is they have to get their standard certification, and then they have to also add to that the ceo council gold standard certification program, which is a national program that was actually founded by george and barbara bush some years ago. And it's a national wellness program developed to help with cancer research and cancer prevention. And so this is quite a challenge for an organization to do and it is especially important to recognize seton because they're a very large organization, so I'd like to welcome tony mucke to come up. And congratulations, tony.

[Applause] our next organization is yoga, yoga. They achieved certification last fall and we are delighted to recognize their dedication to leading by example and helping create a healthier community here in austin. Rich goldstein, sorry. Didn't get to say your name. Thank you, rich, congratulations. Our next organization is active life. They achieved their certification last fall and we're happy to recognize their dedication to leading by example, which I know baker does. Congratulations, baker harrell.

[Applause] the next organization you certainly know well, it's the university of texas at austin. It achieved its partner certification in january of this year, which is an incredible accomplishment when you think about u.t. They strongly care about the health of their faculty, their staff, their students and they strive to offer a premium employee wellness program, and this is claire moore accepting this award.

[Applause] nextersis corporation achieved its certification in february. Their appreciation for this community, intelligence, creative has inspired them to exemplify the concept fitness made fun, and this is terri jones to accept the award. Thank you so much, terri. These guys are awesome.

[Applause] check out their exercise system. Our next award winner is the carus group. They became certified in april, having a vibrant wellness program is an important part of their whole company's culture and they place a high value on their employees' health anding with being and we have a representative here to accept the award.

[Applause] and finally our last certification goes to freescale, who also achieved its certification in april. We are honored to have them join us here and to join our growing list of partners. Freescale values the health of its employees and believes that participation in the community effort will help to not only improve help, but to attract and retain their talent. This is sandy from freescale. Congratulations.

[Applause] thank you very much. Can we get all of you back that I know you were up here once, but if you will come back for a group photo that will be great. I think we have a couple of board members here, wong, are you still here? Could you come up? conroy, could you come up? And if there are any other members here, we'd like to you come up for the picture. And of course liz. Wonderful. Thanks everybody for your attention and congratulations to our wonderful new certified partners. Thank you, mr. mayor.

[Applause] it's my privilege to honor some people in the education business, austin independent school district. We have three different presentations here in different categories, and I'm actually going to read these certificates of congratulations and ask you to come down and accept it. First is for having been selected as the 2011-2012 aisd principal of the year, donna hauser is deserving of public acclaim and recognition. hauser has been principal of anderson high school since 2007. In the relatively short amount of time she has been at the helm there, anderson has been named news week's and the washington post's top high schools in america. Anderson has also been recognized by the texas business and education coalition as one of the top 20 high schools in texas and named as a top 10 high school in texas by children at risk. We join aisd and partners in education in recognizing hauser in this well deserved honor and we wish her continued success working on our behalf and on the behalf of austin students. As presented this 14th day of june, 2012 by the city council and signed by myself, mayor lee leffingwell. Thank you, donna. We appreciate it. That's quite a resume you have here.

>> Thank you so much.

[Applause]

>> this one is a certificate of congratulations for having been selected as the 2011 and 2012 aisd teacher of the year and austin's nominee for texas teacher of the year. Matt gearheart is deserving the public acclaim and recognition. gearheart revived avid, that's the advancement via individual determination, a program especially for students who would be the first in their families to attend college. It prepares them for future success. His students are enrolled in a rigorous high school classes and through their gearheart they develop a sense of community, are inspired to follow their dreams and learn that they can realize their potential. In fact, he says his students help him to expand his own expectations. The students at anderson high school are truly blessed to have such an enthusiastic and motivated teacher impacting their lives in a positive way. Each day of the school year. He's an asset and an inspiration for us all. It's presented this 14th day of june 2012 by the city council of austin signed by myself, lee leffingwell. Congratulations, matt.

[Applause]

>>> and finally, last, but certainly not least, this is a certificate of congratulations for having been selected as the 2011-2012, aisd classified staff member of the year. Diana luna devalarez. Did I say that right? One syllable I was missing there. Is deserving of public acclaim and recognition. devalarez has worked for the austin school district for four years at four different campuses, making changes that provide students with clean, pleasant surroundings in which to learn. Students at pair disand middle schools and elementary schools now have improved campuses because of their efforts to adjust cleaning areas and assignments to better meet each campus' cleaning needs. We're pleased to congratulate her on this much deserved honor and to thank her for her dedication to aisd schools and students, as present /this had/( ed)this 14th day of june, 2012 by the city council of austin, texas, signed by myself, lee leffingwell. Congratulations diana.

[Applause]

>> Mayor Leffingwell: It's my privilege to present some of the very well deserved service awards. These folks have been laboring at a task on a taskforce for what is it, two years? Two and a half years. And tonight the council is going to address an item to approve your work product, which is the imagine austin plan, the comprehensive plan for the city of austin, texas, or not. If we don't, we can do back to the drawing board, right? And start all over? So this taskforce was -- we started off with over 30 folks representing diverse points of view from throughout the community to talk about the future of austin. It was a broad public involvement process to make sure that the plan was based on the public's values. Travis county was recommended on the taskforce by jack gulahorn, jack glen and ira yates. Judge margaret cooper, who is actually a real judge, chaired the taskforce through a very difficult process. They engaged themselves in the committees, steering, analysis, engagement and so forth to get their work done. Judge cooper chaired the steering committee. Kent collins chaired the analysis committee. Pearla cavazos chaired the engagement committee. The taskforce led the seven topics specific working groups. Evan tanguchi chaired the land use and transportation committee. Francis ferguson and carol to go son chaired housing and neighborhoods. Regina rogooff chaired economy. Scooter cheatham and peter tore gumson chaired conservation and environmental resources. francis McEntire and pearla chaired the city services. Roberto martinez chaired society, it says, and cookie ruiz chaired the creative. Two and a half year process, as I said. I think it understates it to say that at times it was a little rocky and difficult and these taskforce members worked tirelessly with dedication with our staff and the consultants to produce the draft plan that we will consider tonight. So I want to personally congratulate each of you. There's -- these are just the folks who are here tonight. We'll get the certificates or distinguished service awards to the others as soon as we possibly can. I'm going to read one of them because they're all the same and you don't want me to read all of these awards. It's a distinguished service award for dedication, team spirit, perseverance and valuable input as a member of the imagine austin taskforce as their group gathered and considered community input regarding austin's future. Margaret cooper in this instance is deserving the public acclaim and recognition. This certificate is issued in acknowledgment of the taskforce's two and a half years of hard work during which members attended more than 100 planned meetings and analyzed thousands of comments from citizens. We greatly appreciate their contributions in making austin the very best city it can be, presented this 14th day of june, 2012 by the city council of austin, texas, signed by myself, austin mayor lee leffingwell. Again, congratulations to all of you. I also want to recognize councilmember laura morrison who I think it's fair to say put in her share of the work on this plan. Would you like to say a couple of words, laura, and then we'll present the certificates.

>> Just a very quick comments. First of all, 100 meetings, that's pretty outrageous. But we wouldn't be here today without all the hard work of a lot of people, but especially this taskforce. And I think -- I personally and I think a lot of other people are indebted to their commitment and passion and compassion for trying to move this city forward. It's not necessarily always been easy by any means, but my heart felt thanks to all of you.

[Applause]

>> I'll call out the names and you pass them out to the individuals. Margaret cooper. Patricia dabbert. Roy houston.

[Applause] frances mcintyre. Jonathan agrin. Lori rent rei can't. Regina rogo. Cookie ruiz.

[Applause] evan tanguchi.

[Applause] and ira yates.

[Applause]

>> Mayor Leffingwell: So we'll save this for cookie and put them in the stack with the others who were here tonight. Thank you very much and now we'll take a quick photo.

>> We were on item number 15 and the next person we had up to speak was david kelly. David, are you here? Organics didn't see you. Oh, I didn't see you.

>> All right! Edward cardbow. Ok. Got three minutes. And just a reminder, if you signed up more than -- if you signed up on 15, 16, or 21, or all three, you only have one opportunity to speak and that's now.

>> Good evening, mayor, and councilmembers. My name is ed, president of yellow cab austin. We're looking to recover a situation that exists not only here in austin but nationwide. Studying the issue over the last couple weeks, in depth and thoroughly. Research indicates the more vehicles available for cherokee accessible service, the better the service will be. Compared shuttle vehicles at various airports and in minneapolis where they have the highest percentage of their fleet as cherokee affectable, the demand is also the highest. In speaking with the folks, sarah and jennifer, also utc commissioner boone, they all indicated that if the service was better and more reliable, that the demand would be there. In part, our situation might be caused not -- by not having the proper allotment of cherokee accessible vehicles on the road. The -- wheelchair accessible vehicles on the road. And properly mental health. Many use -- implemented.

>> Arlington and washington , portland and houston, but here in austin and at yellow cab austin, we provide incentives and it's been subsidized the independent drivers to try and perform better. One such incentive didn't work so well. We've justed and that -- adjusted that and we've other things in place to be sure that drivers are enthused. Rebate, we produce vouchers and different perks that are in place. At this point, going forward, we'll utilize all of the resources available to us, including city ordinance and feedback from the years and hearing from folks folks and input at stakeholder meetings. Current -- and the deployment of these six additional vehicles we're talking about will be uniquely geared to solving this situation. We agreed that the goals should be completely comparable service. The service that anybody that calls to receive a cab should be consistent across the board. We're thankful to the council, to the austin transportation department and the utc for taking up this issue and identifying that fewer permits than required by ordinance are issued, I would be remiss if i didn't mention the membership at adap that met with me last week and had a chance to discuss and get input from them. Thank you for putting us in contact with them and councilmember riley and bloom blocker and the staff at the austin transportation department for taking the time out of their busy days to provide advice and resources available to he work tort solutions to date and into the future. I'm available to answer questions.

>> Mayor Leffingwell: Thank you.

>> Spelman: I appreciate your pin put. Making sure your drivers have the proper incentives in place, I think it's a great thing and probably results in much better service and we've been hearing from satisfied customers earlier in the public hearing. I have a question about the nature of the performance measure before us in 31. I get a sense from -- in 21. How yellow cab is likely to fare under those performance measures if we looked at waiting time for people requiring a what I can ready cab. Do you think they would be -- wheelchair chair ready cabs.

>> I think currently, they're not comparable but I think the goals, specifically the federal goal are having them be comparable is achievable.

>> Spelman: Ok.

>> We've implemented actions and seen possible results. There's an ordinance, 13-2-345 that through the help of that ordinance and other action, will specifically deploy these six additional vehicles to make sure they're on the road 24 hours a day, isn't days a a week and 365 days a year. And we should be able to meet demand and bring the wait time down significantly. Unfortunately, [inaudible] didn't work out and we've done way with that and we've -- reconfigured --

>> Spelman: How many wheelchair ready cabs.

>> We currently have 22.

>> Spelman: So this would be six more. You'd have 28?

>> That's correct.

>> Spelman: And that is more than 6% of your fleet.

>> I think it would put us at 6.5%. What the ordinance calls for.

>> Spelman: If you've got 93% of your fleet not wheelchair ready and 6% are. If I make a phone call and you've got several cabs ready to dispatch, the chances that the closest cab ready to dispatch was actually chair-ready would be low because the vast majority are not chair ready. Is that accurate?

>> That's correct. We've got an incentive in place to encourage drivers in wheelchair accessible vehicles to make the trips that may be out of the zone they're in position to get with and get there in a reasonable period of time.

>> Spelman: They may not get to -- their position was closer than what I was but you're confident that -- by providing incentives to people to dispatch out of the zone, they can get there fairly fast.

>> Fairly confident and with my discussions with the folks at adap, one of the things we're going to add to our script to ask anyone who is requesting a wheelchair accessible vehicle, if they're transferable, they may ask for a regular cab, and the driver would be able to provide assistance in transitioning their wheelchair into the trunk and help of the passenger transition into the vehicle.

>> Spelman: Under those circumstances, particularly if a large number of people in chairs are willing to be transferred, we probably could get to the point where you could get at least rough parity with people in chairs and everybody else. But absent that, I would imagine 5% of your cabs that are wheelchair accessible and the other 94% are not, it's almost impossible to get a parity with waiting times. I'll look forward to the results but if they don't show an exact parity, I think it's the fact 5% of the wheelchair ready.

>> That could be a part of it. But I do think that the goal is achievable. So we'll work really, really hard to make sure that happens.

>> Spelman: I appreciate your willingness to work on the goal. Thank you.

>> Thank you.

>> Tovo: Mayor. Councilmember councilmember tovo.

>> Tovo: Thanks and I appreciate the way you're adjusting the script to provide good service to the community.

>> I have a few questions for you. You mentioned incentives. I've heard a few from drivers but I wonder if you could tell us about the incentives you offer and especially about the one that you have decided not to continue using.

>> One of the incentives offered, for any driver in an in a wheelchair accessible vehicle that took two trips during that week, they got a rebate on their lease and that was one that I think worked well.

>> Tovo: Excuse me. Full rebate on the lease?

>> A \$50 rebate on their lease. We had an incentive that if they had to pick the trip out of the zone they were in, they would get the opportunity to be first up in the zone where they provided service. And the one that we've done away with, stated that if a passenger had been waiting a certain amount of time, would specifically within an hour, we would pay the driver \$27 to make sure they responded and provided service. Unfortunately, what that turned into might have been some people game can the system and kind of, you know, holding off on responding to a request, as a byproduct of wanting to get those dollars. So we have done away with that incentive and created others. We had a driver who 22% of the trips he provided service for in .. Accessible trips and we wanted to make sure we recognized the driver that has the highest percentage of wheelchair accessible service with either a cash prize or rebate or just acknowledgment or in addition to acknowledgment, and we want it make sure that the drivers assisting us with responding to dispatch trips are properly acknowledged so we'll have an incentive that

recognizes the top three or five on a quarterly basis that might be a cash prize or rebate. I think we recognize it's really important to be there and available, but the drivers may have their own, you know, things that may be important to them, so we want to make sure that we constantly remind them that the wheelchair vehicles, there are special permits created for that purpose and we want to prioritize that service to that community.

>> Tovo: I agree. The incentive that you had, that basically provided a cash -- an additional cash fee to drivers, if the fair had been waiting longer than an hour, in effect, I assume from the executions I've heard provided an incentive for those calls to go beyond an hour so that could account for the long wait times that people experienced. When did you remove that incentive?

>> It has been removed effective Monday. This past Monday.

>> Tovo: That's quite recent. How long has that incentive been in place?

>> For about a year and a half. And over the course of that time, I think, initially there were fewer trips that waited at that time, and over the course of time, unfortunately, the situation did not get better. Probably as a byproduct of that.

>> Tovo: Do you have any data on wait times and how they compare for passengers w wheelchair accessible vehicle?

>> I don't have specific data on wait times because we do have a lot of drivers that personalize the request for wheelchair -- the request for chyle wheelchair accessible vehicles and in that case, that person may call the driver directly and through that process, drivers do not necessarily log when they were called and when they picked up. But we have rebated the manifest that of the drivers are keeping, the trip sheets to calculate and capture that information now.

>> Tovo: When were they recalibrated?

>> That's part of the action we've taken and implemented this week.

>> Tovo: Again, that's again another recent change.

>> Yes, all of this discussion has come up in about three weeks and the data kept prior to that was based on what was in the ordinance and we've worked off that data which was reported in audited information and turned into the city and the byproduct of all of this communication, we've kind of jumped into the fold and made sure we get information back and feedback back on what people want and where we can improve and implement as quickly as we can we can. I understand more changes will come as a byproduct of these discussions but there's actions we can take to improve the situation and our goal is to make this better now and going forward.

>> Tovo: Good. So you mentioned 22% and it sounded like that was your highest -- the highest percentage that any of the wheelchair accessible cabs realized. Is -- you've had 22 special fracture permits since 2006. Do you have a sense what that 22% recognizes, that last year.

>> That number is over the last 15 months. 22% Of all of the trips in that vehicle were wheelchair accessible. Helping out a passenger that needed a wheelchair accessible cab. For a fleet --

>> Referee: How did the other 21 fare.

>> The trips are wheelchair accessible for the entire 22 and looking at -- we provided service for about 273 million trips last year and about 7,000 of the trips were wheelchair accessible.

>> Tovo: But the average was 4.7%.

>> 4.7%.

>> Referee: Were for passengers who needed a wheelchair accessible vehicle.

>> And relative to -- the requests for wheelchair vehicles. I firmly believe as we improve the service we'll probably get more requests for wheelchair accessible vehicles and happy to continue to provide service if it's going to increase demand so we'll work to improve that. If you take u talk to the folks, jennifer and sarah told me directly as the service improves we'll find that people will ride more.

>> Tovo: Ok. I think that's all the questions I have for you now. Thanks.

>> Riley: Mayor. Councilmem councilmem ber riley.

>> Riley: We've heard from a number of folks that one way to get better service for people in wheelchairs would be through the use of company-owned vehicles. I think I heard you mention that you expected that these six permits on the table now for yellow cab, as special permits, that you would be expected that those would be used on a day lease basis?

>> That's our plan for deployment as I intimated earlier. With these six permits we'll purchase six wheelchair accessible vehicles owned bit company and strictly utilize a day lease model. Having four or five different driver who is lease each vehicle but helps to cooperate car on the road, 24 hours a day, seven days a week, 365 days of the year. During fiesta when it's busy. They'll do either a free day lease or half day lease, which encourages folks to lease those vehicles ann ann but then they can dethrow them to respond to requests for services and we have -- deploy them and make sure that the cars are on the road, 24 hours a day, seven days a week, 365 days a year. Prioritizing them to address the need that's presented to us. And gives us a chance to study that model in austin as we go forward and we may be able to hopefully have a discussion adding more permits of that nature to solve the pique peak demand problem -- the peek demand.

>> Riley: The company has the greater control over the use of the vehicle and you -- than you typically would have with an independent driver.

>> That's correct. We made adjustments earlier this year to our -- we have a model where there's a lease for the utilization of the driver and even with those adjustments in prorating those

numbers, it hasn't had the impact we were hoping for so I think the reality is there are a number of drivers who are independent contractor owners who don't want to share their car and having vehicles to utilize in this capacity solves the problem of getting multiple drivers into vehicle that are on the road addressing the needs of the riding public.

>> Riley: Would you be open to those additional special permits actually being required -- subject to a requirement they be for company-owned vehicles?

>> Yes, sir.

>> Riley: Thanks very much.

>> Mayor Leffingwell: Joe beers. All right. James dugali. We'll call you when we get to the end.

>> I didn't get a lot of time to speak. Number is a, I understand --

>> Mayor Leffingwell: Are you james?

>> Huh?

>> Mayor Leffingwell: Are you james or joe?

>> Joe. Joseph beers. 15, I support the resolution only because it -- it gets the franchises all to renew at the same time and from a cab driver's perspective, if there's ever going to be a truly fair waif making the companies truly competitive against each other, it allows the opportunity for reallocation. Right now, it's hard for the two smaller companies to properly cover the service. The city with the number of cabs they have and if two companies are called and one of those are yellow, 90% the yellow cab is going to beat me in the call simply because they have a cab closer from the start. I'm chasing no trips. On 20, I agree with pretty much everything. I don't have any problems except the last part when you're talking about the special events permits. You've already issued 45 permits and now you're talking about 36 more and now you want to talk about special events permits. You're killing me. My market share is being cut so much if I'm not making money during the special events, I'm going out of business. I can't keep doing it. What we charge is fixed. We can't change our prices based on demand and can't lower them or raise them when the demand goes up. The important one, the six additional wheelchair permits for yellow cab. That's the one I have the as a count, they have 22 permits out of 45 which leaves 430 cabs they can divert from non-wheelchair to wheelchair permits. If the issue was about providing special service, they don't need six additional ferments to do that. But six additional permits is six additional permits and they have plenty of cabs they can find a way to convert some of those to wheelchair. I'm always arguing -- I don't have my no more taxes t-shirt on. But that's the thing. You're constantly cutting my market share and earnings over the last 13 years have been beat up and beat up and I'm almost to the point I can't do this anymore. I had to -- a work week last week of five days, but I had personal reasons I could not. I'm working approximately 60 65 for my time. I'm working for less than minimum wage and less than austin's \$11 an hour minimum minimum wage. Over the year, working an average of 06 hours a week, i

had a income not using the miles deduction of about \$18,000. If you take the total hours i work to my annualized income --

>> Mayor Leffingwell: Your time has expired.

>> Thank you.

>> Mayor Leffingwell: James dugali. Not here. Joan kabelli. Is ogdo dinon? You have six minutes if you need it.

>> Thank you. I have no opposition to lone star cab getting its three-year rule. On item 16, I had some questions about the wording that yellow cab is additional taxicab permits. I think it's been explained this is just opening the way for those additional permits to be assigned as wheelchair van permits. The way it's written here is not very clear but I'm just assuming that will be the first step of a two-step process. 0% 5% of the city fleet should be dedicated to wheelchair van taxicab. To quote, the department may issue an equal number of special franchise permits to each franchise holder for modified ground transportation service vehicles. So the practice has been that these permits are allocated equally and I know it does say "may", however, it seems that has been the practice and when yellow cab purchased -- when yellow cab purchased roy's taxi, they got 11 wheelchair van permits to add to their 11, and that is why they have 22. Austin cab has 11. And lone star has only about five. So it seems that the interpretation of the city code is very loose. It seems to be more like each -- now all of a sudden, we're saying each franchise should have six to 6.35%. But the way it's been -- 6.5%. But the way it's written and the practice, the precedent that has been set is that these -- any additional wheelchair van permits are equally sherrd among the existing franchises -- shared among the existing franchises. So that's one thing that I think council might want to consider. Austin cab has stated on several occasions that we're willing to employ one or more drivers to be dedicated to wheelchair van passengers -- wheelchair vehicle to improve we have 11, so if we took one or two out where they're employees and we can tell them stick around, don't go to the airport. Or do as we say, and if this works then we'll continue and add on more as needed. And also, because of the new way of -- of measuring our achievements, our performance, we will able to see more clearly which of our drivers are not servicing the wheelchair driving public, or riding public. The last time I was here, I was asked if I agreed with mundy's formula and I said, sure. But I think I need to clarify something. I agree with his position that it's time our various franchises performances are evaluated. I'm all for that. The clarification is this should be done feral. When you have -- fairly, when you have a small fleet, you're not able to service either the wheelchair vans or the regular riding public as quickly as a large fleet can. A large fleet can have -- can have cabs out in various zones, so let's say, you could be at far west shopping center and then a call comes for valburn drive. That's just a two-minute trip. But if you have a smaller fleet, your performance is not going to look so good. Because you just don't have that spread throughout the city. So the meetings we've had with the urban transportation commission, we always made the point and I thought it was agreed, that the various fleets would be measured -- the performance of the various fleets would be measured on our past performance. So if you improve your performance, that's the only way you can get additional permits. Possibly, if you don't improve, you stagnate. If you go down, well, perhaps later you will lose some of your permits. But if we are compared with a larger company, that may not be quite fair.

>> Mayor Leffingwell: Thank you.

>> Morrison: Mayor. Councilmem councilmem ber morrison.

>> Morrison: You brought up a point about the code that troubled me. It's state that the department may issue an equal number of special permits and in your -- a long time in business, you -- i guess when you all took over the company, were there 11 special permits at that point?

>> No.

>> Morrison: When you got the 11, did they come all in one chunk or come in various allocations?

>> I don't think I was at the company at the time. But --

>> Morrison: Ok.

>> They came in stages, yes, but every time they came it was the same amount to each franchise.

>> Morrison: Right, ok.

>> And the reason that yellow cab has more is they adopted or took over the 11 special permits that roy's cab had.

>> Morrison: Right, that's why they have twice as many as you right now.

>> Twice as many.

>> Morrison: I wanted to ask our attorney for some help in interpreting this piece of code because it seems very important -- looks like we have another attorney besides a land use attorney. That's terrific. To help us out.

>> I'm angela rodriguez from the legal department. And, yes, as -- did you have a question or want me just to respond?

>> Morrison: If you could respond. I'm looking at this line and looks like our code doesn't allow us to do what is contemplated here.

>> No, it says -- I'm unsure if I understand what you are --

>> it says that the code itself says that the department may issue an equal number of special franchise permits to each franchise holder. We're about to issue six to one that already has twice as many at next one and so I'm wondering how the idea of allocating the six more corporates with this line in the code -- comports with the line in the code.

>> As pointed out, it does say "may" which looks like council's intent was it give the staff the flexibility. But the preference would be to do it equally. However, because of that language, "may," staff had a choice whether or not it wanted to do it equally. In this case they evaluated and decided this year, they would not distribute them equally. And chose to distribute them this way. They could explain why, but the decision was legal.

>> Morrison: Let me throw out another way it read the line and tell me why it's not correct. When I read that was department may do this, they can't do anything else unless it says they can do something else. It doesn't say the department may issue an equal number and then somewhere else say, they may issue an unequal number. The only thing allotted is equaling -- issuing an equal number.

>> They have to issue the permits, so I don't understand how else they would issue the permits.

>> Morrison: Well, right. Exactly. The only other way would be that. But -- so I guess that's the way he read this line of code and you're saying that the legal department is saying that -- that -- saying they may issue an equal number of permits also means they may issue an unequal number.

>> Exactly. They may choose not to. And they've chosen not to this time.

>> Morrison: Thank you. As a comment, I find that troubling.

>> Mayor Leffingwell: Jennifer McVEIL. Do you have a question? I do --

>> Mayor Leffingwell: Ma'am.

>> Tovo: It's actually for mr. durer. I believe. I'm not clear why the practice is changed in this instance. It sounds from the testimony and from what we've heard that the practice in the past has been to allocate special permits equally to franchises. Is that -- has there ever been a period in recent -- in the last few years where those special permits have been allocated in unequal numbers?

>> My understanding and I wasn't involved with this at the time, is originally when developed, each of the three franchises at a time, were each given six wheelchair accessible taxi permits. Subsequently an additional five was given.

>> Tovo: Equally?

>> Equally between the three franchises. I wasn't aware of what the situation was when yellow purchased roy's, and were able to keep twice as many as austin. And then the subsequent action when lone star started to give them five. In theory, each of those points, they should have been redistributed among the franchises. So the situation we have today is that our model is closer to 5% to each franchise 5% of the entire fleet spread equally among the three franchises. So again, I wasn't involved with the decisions made up to this point, but seems like that's a closer -- seems like that's a clear model to what we have today. And I think to pull back permits is another issue

entirely. So I don't know if that totally answers your question. I haven't been involved with some of the decision processes up to this point.

>> Tovo: I think it does answer the question. Sounds like the initial distribution was equal. I can't remember if you said five, six and asix. Then five and five, and then there was a merger that resulted in an unequal number for yellow cab but from that point on, there hasn't been another distribution of special permit so every time there was a distribution of special permits it was equally to each franchise with the exception of when yellow cab merged, it ended up with twice as many as austin and then when lone star got special permit, they ended up with less than half. Half the number of -- well -- let's see, slightly less than half of the number. So it -- I'm not sure I'm seeing an argument here for -- for a distribution that's an unequal number to the cab company that has more than its equal distribution. So I guess come can back to the original question of why, if there was an assessed need to have an additional six special permits on the streets, why wouldn't those be assessed -- or allocated two, two and two?

>> Under that model, though, we would have 14, 14, 14. Because under the code, we should each year, we could take it and it's supposed -- it says divide it equally among the franchise holders. So that means we take back permits from one company and give it to the other companies. What the code is -- you know, and interpretation of the code.

>> Tovo: Would that be allowable -- sorry to interrupt. But would that be allowable under our existing franchise agreement. That kind of annual redistribution of the special permits?

>> I would defer to the city attorney's office about what that -- what that might -- the implication.

>> What would you propose? What was the question?

>> Tovo: I wasn't proposing anything. It was talked about if it was an equal allocation among the three company, it would be 14, 14, and 14, and he pointed out it would require taking back permits in the case of yellow cab, require taking back permits from yellow cab. They're the only one that's over the equal allocation and I was asking if that's allowable.

>> There's a process under the code for revocation of permits. There's a whole process and i believe there are hearings involved and -- because it's a property right. We can't take it back without a certain amount of process. With the franchise itself, only speaks to the maximum number of taxicabs allowed on the street, so the permits could be variable and the taxi franchise could still remain sound.

>> Tovo: I see.

>> It's possible to revoke the permits that we do grant. There's just a process.

>> Referee: I see. Well, thanks. durer for explaining the allocation prior to this point. Councilmem councilmem ber martinez.

>> Morrison: I have one more question. You were talking about special permit as revoking them. On the other hand, is there some special consideration since -- special franchise permits under 2-40 2, a special franchise permit is valid for three months from the date of issuance and then in c, it says annually, the department shall allocate an equal number to each eligible franchise. It sounds to me like the permits are good for only three months at a time.

>> Yes.

>> Morrison: So you're not taking anything back. It's not really a revocation. Not really a property rights thing?

>> It would expire and if it expires naturally, there's no process. But taking away the permits, that's something we have to have a process.

>> Morrison: So we could wait until the end of three months?

>> Exactly.

>> Mayor Leffingwell: Jennifer McVEIL.

>> I'm with adapt texas, i submitted a letter this morning because I was at the domain working to try and make it accessible and didn't know if i would make it back in time. The letter says we've worked on this issue for 20 years and came to the table and created this incentive because when we first brought up the issue of accessible taxicabs, people were saying we're independent contractors, we'll go out of business, I won't be able to feed my kids and well, we created these special permits and 20 years later, I still can't get a ride. Duri 9-1-1 attacks, I was in los angeles las vegas, I -- i was in las vegas. Everybody, thousands every people were desperate for a way to get home. Buses were full. Flights were full. Cabs were over-worked and still, when I called a cab to get to the airport, I only had to wait an hour in las vegas. During that emergency. I can't get a ride on a regular day in austin, texas in broad daylight when there is no catastrophe. I attached money to the letter as proof that a disabled person's money, particularly my money is real and spends just the same as everybody else's. But you hear the cab drivers we can't provide the service, can't meet the demand. We're having a hard time making ends meet. You'll hear cab drivers over and over and over again, talk about how hard it is to make a living.

>> The company owners how hard it is to run a company. Yet they won't take my business. What does that say? It says something very, very profoundly negative about this community. And it's bad for me -- sad for me, because this is the place of my birth. I have to go out of town to get treated like an equal human being. It had very sad. My money is just as green yet i had to go to the domain and try to convince them to fake my money. I had to -- to take my money.

>> I had to come here that you should require them to take my money and provide a service. It's wrong. You should be ashamed of it. And I'll tell you why, yellow cab should get more. Because at the utc meeting, solomon took me aside and told me that lone star can't meet the demand. If they had more permits, they couldn't meet the demand. They're too small. If they're not able to, why are they opposed to yellow cab doing it, if they know there's greater demand than what they

can provide? All I want is a cab ride. Right now, at the paramount tonight, they have manurian candidate playing -- manchurian candidate playing. But if the buses aren't available, I have to rely on a cab that probably won't pick me up. Does that make me equal?

>> Mayor Leffingwell: Thank you, jennifer.

>> I'm going to leave my money here to prove that this money is just as real as everybo else's.

>> Mayor Leffingwell: Albert metz.

>> I'm albert with adaptive texas. And I want to be integrated like jennifer just said. I should be able to call a cab and get a cab, just like everybody else. Without people who don't care. Thank you.

>> Mayor Leffingwell: Thank you.

[Inaudible] getta zulicki. All right. Solomon casa. David kelly.

>> Thank you, mr. mayor. Thank you, council, sorry, I was outside when you called earlier. I'm a driver. City of austin. Austin cab. And at tuesday's utc meeting and today, I felt terrible that these folks can't get a ride. You all can do -- I mean, whatever is on this list. I said this at the utc, you need to make the drivers of wheelchair cabs employees. Is the only way they can be assigned to go get these guy as I ride when they need it. Ok? The reason I say this -- the utc, the other night, they said there were approximately 4,600 and some wheelchair rides last year. Mr. carposaid 7,000. Whatever, that's -- that's 13 to 20 rides a day. There's currently 38 wheelchair cabs. That's more than enough to cover 13 to 20 trips a day. Way more. In fact, if you gave two wheelchair cabs to each company, and they were manned by employees that had to run on these trips, you wouldn't need the other 32. The huge savings. Two drivers who pay for the cab, who own the vehicles. Other than this new plan you're talking about where they're franchise owned. But, of course, when the lease amount to the driver, the drivers end up paying anyway. This problem needs to be fixed. I don't think it will be fixed other than the employee solution. In regard to item 21, I agree with everything, except for the end, the day lease program. It will be the same thing. I've talked to a -- I don't drive a wheelchair cab but i talk to them, and several of them told me I never do a wheelchair trip yet they have a wheelchair cab. I believe also in the meeting, the transportation department's figures showed there was only like five, maybe six cabs that met the minimum requirement for being on duty during this year, while there was 46,200 trips. This needs to be fixed, guys. I'm leaving it all up to you. But I'm telling you unless you hire employees to send them out to these guys. And also, I'd like to see the end of -- on the section 21, as opposed -- I would like to see somewhere in here to reevaluate the formula for cabs. And make the wheelchair cabs employee driven. Owned by the companies or, however, you want to do it. But driven by employees that can be sent to give these people a ride. Thank you.

>> Mayor Leffingwell: That makes sense to me. Doesn't matter how many cabs you have if they're not available. You can't get a ride in one. So it seems logical to me too. I don't know anything about the cab business, but seems like you could get by with a lot less wheelchair cabs if they were dedicated somewhere.

>> And not getting it done

[inaudible] councilmem councilmem ber tovo.

>> Tovo: I think this is implicit but I want to be clear. You were offering that you think the only solution as you said, to have self designated employees for those customers. Do you think additional permits for wheelchair accessible cabs --

>> well, there's 38 out there now that can't get it done. I can't see where 44 are going to get it done either. Because the -- it's simple -- as long as the market risk is all on us, the guys are going to do what makes them the most money, which I'm telling you is the airport, downtown, at night. These folks deserve rides too. So why not hire -- you know, that's the other thing, if you make employees drive these cabs, you're creating jobs. Isn't that what we're suppose to do now in this country? Create jobs? Not six more anemic businesses where guys make \$6 an hour.

>> Tovo: Ok. Thanks.

>> You're welcome.

>> Tovo: I appreciate you being here.

>> You're welcome.

>> Tovo: I know you've been here a long time.

>> Mayor Leffingwell: That's all the speakers I have signed up to speak on those three items of go ahead.

>> Morrison: I needed to clarify something. thomas remind me that I may have overstated --

>> the special permits don't automatically expire. Every special permit doesn't. They will expire if they become ineligible and that's according to the criteria in the code what they have to do to be a special permit. And if they're no longer doing that, they're subject to expiration. But none have expired since the program was enacted. Sorry if I mislead you.

>> Mayor Leffingwell: Thanks.

>> Tovo: I have additional clarification. But -- councilmem councilmem ber morrison.

>> Morrison: So they aren't revoked. One possibility could be revocation.

>> Yes.

>> Morrison: And the other --

>> if they're determined to be ineligible, they naturally expire in that case, yes.

>> Morrison: Ok. Do we actually reissue them every three months?

>> No, from what I understand, no. None, have ever expired because none have been determined to be ineligible.

>> Morrison: Do we check.

>> I don't know. That would be a question for atb.

>> Morrison: That would be great to know.

>> In answer to your question, i don't know that we've ever revoked. But in looking, once this issue has come to light, in looking at 2011, the only requirement in this section of code is that to be eligible a vehicle has to be on the road 274 days a year. At least 274 days for at least 12 hours a day. According to the reports given to us by the three franchises, there were only five of the 38 that met that minimum requirement. In theory, we should have just three vehicles equally shared among the three franchises. But we don't see that that's going to help the situation and need to take 35 vehicles off of the street. So the one criteria we have for this particular measure doesn't seem to be producing the outcomes that we -- you as council and we as staff and the citizens deserve if austin. So that's why I'm in discussions with councilmember riley. We need to explore better ways to produce the outcomes that we want.

>> Morrison: Thank you. I get your point. That way, it's not going to do anybody any good to take the cabs away, but suggests that we have freedom for moving them around should we decide that's what we need to do.

>> Under the section of code, if one company does not meet the requirements, the permits can be shifted to another company that does meet the requirements.

>> Morrison: Ok. That's an option for us?

>> Yes.

>> Morrison: Thank you. Councilmem councilmem ber tovo.

>> Tovo: The provision says it's valid, they don't come up for rule for three months?

>> They make quarterly payments. If they don't make their quarterly payment for their permit, then they would be -- potentially lose their permit.

>> Tovo: Ok. And just to be clear, you said -- what was the time period in which those five out of only five out of 38 met the two requirements?

>> For the year 2011, the entire year.

>> Tovo: Thank you. Do you have a sense of what the last several years look like in terms of how many cabs met the requirement?

>> We get reports but we did look that the and we'll look at the first six months of this year because again, this is a problem that we need to solve.

>> Tovo: Right. I agree. So in -- I'm looking at the utc report from the other day and looks like of the five who satisfied those two requirements, the first vehicle had 842 trip, vehicle b, had zero, vehicle c zero, trips and vehicle d six trips and vehicle e -- of the five eligible wheelchair accessible, two of them had zero trips for passengers who needed the wheelchair accessible vehicles?

>> That's correct. Of the 38, there were five of them that took no wheelchair trips in 2011. And 15 of the 38 took less than 60 trips throughout the whole year. But there's some drivers doing yo man's work. And like was said, one driver, 22% of their trips are wheelchair trips and there's folks doing real heavy lifting and there's some other operations which aren't giving us what we need this austin.

>> Tovo: The numbers I have don't match what you just said. So there were --

>> sorry, there were five twice. So of that list, the characteristics of five -- the five vehicles that had been on the road 274 days for at least 12 hours a day. That's the information for those five.

>> Tovo: Of the 38 wheelchair accessible, only five met the requirement, the two we've got in the code and when you looked at those five and the trips they'd had over the last year, two of them carried no passengers who requested wheelchair accessible vehicles, one only had eight in the course of a year who required a wheelchair accessible vehicle and two had a good number of trips?

>> Yes.

>> Tovo: Of those eligible -- observation, I think that data speaks really for the need to seriously revamp the way we try to serve customers in the austin community who need wheelchair accessible vehicles. Thanks.

>> Riley: Mayor. Councilmem councilmem ber riley.

>> Riley: Seems like there's two problems here. One, we're looking at the wrong criteria. Our requirements are that the accessible cabs be on the road 274 days a year and 12 hours a day. But we don't actually require they be available to serve people who need them in wheelchairs or that they actually respond. The one thing we're not getting at is what is the service actually being provided to people in wheelchairs? And is that --

>> thicket.

>> Riley: And the intent of the resolution on the table in item 21 is to shift our focus way from the criteria that aren't working and instead, focus on the sole criteria of the wait time for a person in a wheelchair requesting cab service and the goal is to ensure someone in a wheelchair has to wait no longer than anybody else when they call for a cab. And that's a basic criteria. There's another issue out there. And a few of the speakers touched on this, and that is, is that our cab operators are generally independent contractors. And so the cab companies have a limited degree of control over those cab drivers and this is a problem -- a number of people mentioned and it's -- the problem nationwide and that's mundy addressed that in his report and one thing you can do for this limited purpose, shift the model away from independent contractors and instead promote company-owned vehicles which can then have control over those vehicles through the use of employee drivers or making those vehicles available on a day-lease basis and imposing controls over those day lease. Is that a fair assessment of the issue?

>> Again, I think from the staff standpoint, if we have an outcome, we're less concerned about the method to get to the outcome as much as assuring we get to the outcome. And -- and dotely, what we've heard -- anecdotally, the day-lease, or the employee driver, the company would be able to direct their pattern of trip making.

>> Riley: Right, right. And, in fact, the resolution on the table, item 21, not only sets that new criteria but also says all future special franchise permits should be considered by council for company-owned vehicles only and the next permits that come out for yellow cab and we heard tonight that yellow cab would have no objection to a restriction on those permits and they would be available for -- that they'd be restricted to vehicles only. So that would be one way of getting to that issue. The urban transportation considered all of this at their meeting this week, didn't they?

>> Yes, they did.

>> Riley: And they had representatives of the disability community and drivers and can you tell us about the -- THE UTCs R'S VIEW OF THE Resolution on the table?

>> The utc passed a resolution in support of the resolution with the exception they felt the penalties should be more severe if a company did not meet those standards; that the conversion of the wheelchair accessible permit to a regular permit was not severe enough. So that was their discussion.

>> Riley: And, in fact, if we consider that one point, under current code, doesn't staff have the authority to revoke permits of any condition not meeting the criteria set out in the ordinance?

>> Again, under the ordinance, theoretically as of january of this year, we only have five wheelchair satisfiesble taxis on the street.

>> Riley: Staff has some authority under current code?

>> Yes.

>> Riley: With all that in mind, mayor, unless -- do other folks have have a question.

>> Mayor Leffingwell: Item 15.

>> Riley: Item 15 is the one that doesn't touch directly on this issue.

>> Mayor Leffingwell: We're going to take them in order, 15, 16, and 21 separately. Councilmember martinez, approval on second reading, item 15. Second by councilmember morrison. Further discussion? Councilmember tovo.

>> Tovo: Before we vote, i wanted to make sure I understand which item we were voting on all in favor say aye. Opposed, no. Passes on a vote of 7-0. Now item 16. Councilmember martinez moves approval. Mayor pro tem cole second. Councilmember riley.

>> Riley: I could offer an friendly amendment on that. If we could have those permits restricted to company-owned vehicles. We heard that yellow cab is open to that and I think it would be a step in the right direction toward fixing the problems with the current system. Councilmem councilmem ber martinez mayor pro tem, that's accepted. So those are required to be company-owned vehicles.

>> Tovo: I wanted to --

>> that I can stipulate that at least six of the taxicabs in the franchise are company-owned vehicles. Because let me tell you, my concern -- the franchise doesn't speak to permits, only to the maximum number of taxicabs. I'm trying to figure out how to best describe it.

>> We'll have time to figure out the language for third reason. The idea is that the six additional permits would only be available for company-owned vehicles.

[One moment, please, for change in captioners]

>> Cole: I think it is crucial that we give staff clear direction of our concern and that concern is that we are making sure we do everything we can for a policy stand direction from council on people who are calling on cabs and they aren't showing up, especially in the case of disabled. And this is just second reading and we will have a chance to see if you can draw up on some language to do that, but please work really hard at that, because it's a major concern.

>> Council member riley.

>> Riley: I am very appreciative of the problem and I totally respect my colleagues for voting no on this item. I can relate to this. I have been voting on additional permits for quite some time now. And I have been consistently voting against additional permits. I am very sensitive to the concern. The only reason I am willing to support this at this point is because of the urgency we have here in terms of providing taxi service to people in wheelchairs. The service is long overdue. Our current model is not working and that offers an opportunity to test an entirely new

model to finally solve the problem and i believe that interest is so compelling that it is worth using this -- using these additional permits to try to solve that problem.

>> All those in favor, say "

>> Tovo: May I comment. council member tovo.

>> Tovo: Since council member riley made a comment, I wanted to say one other thing. The point I wanted to also mention is if we assess that there is a need for six additional wheelchair accessible cabs out there, I think we should go back to the original ordinance and consider the fact that in the past those have been allocated evenly to the different companies, rather than all to one company.

>> All those in favor, say " aye. Oppose, no, 5-2 with council member tovo and morrison voting no. That takes us. It passes with a vote of 2.

>> I voted for. You didn't mention me voting against. That passes on a vote of 5-2. And council member riley.

>> Riley: Move approval. council member riley moves approve. Is there a second? I will second. " council member morrison.

>> Morrison: I am sorry. I am troubled by one -- name by one part of this, and that is the -- the last paragraph under the second be it revolved that says after a transition period of one year for franchise holders does not meet the standard described above, i assume you mean the average for wait -- wait time for a wheelchair request as the same as ever. The permits of my vehicles that do not meet these standards may be subject to becoming regular franchise permits and council will consider reducing the next annual location that that franchise would get. So to me, what that says is, it could be seen as a mechanism for early allocation of your next -- with the ones that are coming in the formula. So the troubling part to me is -- I appreciate, you know, trying to set some new standards and really move us in the right direction and I really think we can reallocate and all, but I am concerned about whether this is actually an incentive to not meet the standards as to opposed an incentive to meet the standards and I wish that I had something to suggest. The only thing I can suggest is that they would be -- instead of rolling over, that they would just go away. Just like we foresee here, but then, on the other hand, then we have wheelchair accessible cabs, have to endure, so I would love to be able to support going forward in some way but I don't know how to do that.

>> Riley: Mayor. council member riley.

>> Riley: If I may respond, it is a well taken suggestion and as you may recall, the original part of this ordinance provided exactly what you are suggesting, that those additional permits would simply be lost for that company and at the work session on tuesday, what I heard from my colleagues was that a protest because people thought it would be unfair for companies that couldn't meet that standard and we needed an opportunity for council to discuss the issue when the problem arises, so this language which is after that work session, so -- this language was just

to give us an opportunity to consider what to do in that situation, when a cab company is not meeting that standard, and this is possible way of handling that. There are other ways that we could handle it. The point is, there would be a council discussion at that point. The main thing I heard from council is that we didn't want to an automatic penalty to be imposed when it didn't meet the we wanted some opportunity for council to discuss it and take some appropriate action in response to the problem at that future time. And that is -- that's what this seeks to put into place, some mechanism for having that discussion.

>> Spelman: Mayor. council member spelman.

>> Spelman: Council member riley, would you -- I agree with council member morrison, that this is a serious problem. Some people -- to provide people with the incentive to not do the right thing -- my aes, i had been looking at the old version. I will shut up for a moment.

>> Tovo: Mayor, can I propose. council member tovo.

>> Tovo: I might just offer, we could amend the language to say the permitting of my vehicles that do not meet this standard may be subject to becoming regular franchise permits and council can consider -- or council could consider reducing the number of permits allocated to that franchise.

>> Yes, that's it.

>> Tovo: Hopefully somebody caught that. how is that different?

>> Tovo: How it is different? Because it is not tying it necessarily to reducing the next allocation of formula permits allocated to that franchise, they may just lose them. My intent in the language, if it is not clear that we should tinker with but that some of those might become regular franchise permits or may lose it entirely and it depends on their the council's final action and many of these wheelchair accessible cabs are owner operated and so we might want to leave open the opportunity for some of those drivers to continue to have a livelihood since they have invested in their expensive vehicle. I guess i don't understand why those options wouldn't be available under the existing resolution.

>> Tovo: I am just trying to meet the concerns of my colleague who raised them. If it's not a deal breaker concern, and you want to vote on the resolution, that's fine. If we need to tinker with the language to make it acceptable, then that was my intent. council member spelman.

>> Spelman: Now I am working off the current version, it didn't change my proposed amendment which is very similar to council member tovo's. I think it is identical, my intent. What we could do after that first, further resolved at the very end is add the line, alternatively the council may consider revoking permits or transferring them to another franchise. So this leaves open that there is a possibility that there is a lot of things we could do as a consequence and not only this and I think we are sending the proper message there will be consequences. We haven't decided what they will be yet. Council member riley accepts that. I want to make sure we are

not locking us into either one of those courses of action. It is only a possibility. It doesn't limit possible -- attorney, please -- doesn't limit us to doing one of those things.

>> Angela Rodriguez again, absolutely not, sir and I believe council member Riley's original intent is to give a lot of options to council and it is very clear that anything that council does regarding the permit, council would have to do. It would not be automatic and staff couldn't do it themselves. Staff would have to affirmatively act. They could do one of those two things or do something else as they mentioned or they could do nothing?

>> Exactly. I could also add in there to something to the effect of actions including but not limited to or something of that effect so that those are options but that wouldn't in no way preclude council's other options. Okay. Well, I as a second I could accept if it included that language, included but not limited to.

>> Spelman: My original language mayor was alternatively council may consider a or b. I think it captured the same intent. I was just going by the lawyer's reposed language.

>> Spelman: I will always defer to our lawyers.

>> Mayor Leffingwell: okay. Council member Riley accepts that, so the version just proposed, I accept it. Council member Martinez.

>> Martinez: Thanks, mayor. I am going to try to be very brief but I want to thank you council member Riley and Tovo for their efforts on this and for everyone that helped, and I appreciate the different comments that are coming because I think we are getting somewhere good and positive. One of the things I want to point out in the very last resolve that I think is very significant and I brought this out the other day. I appreciate council member Riley adding language in earlier resolves that actually considers the fleet size in making the assessments because we talked about different sizes of different companies of different fleets respond to different performance measures, but I also want to point out that it specifically states the primary goal of these performance measures. So we really are setting a standard to attempt to achieve a goal. It is not a hard and fast rule, the way I read it. But, again, I am going to offer something that hopefully will get us there, because as I pointed out earlier, in the very last resolve, it says that the performance measures would be in place no later than September 1, and the recommendations be delivered to council by January 1 of 2013. So we have some time. What I am going to recommend as a friendly amendment is, again, to move forward with the performance measures going in place by the performance -- the performance measures going in place by September 1, 2012, and then an analysis and recommendations coming back to council for final approval before implementation on January 1 of 2013. So it gives us one last shot at whatever the city manager is going to implement because when you are talking about meeting a standard -- or not meeting that standard in a revocation of permits, I think that's pretty serious. I want us to get it right. I want us to achieve what we are trying to achieve in providing that service, but I also think we are tinkering with the language here at the last minute and I don't want to pass something that gives that the authority to move forward and implement without us knowing what it looks like in the end. We may all be opposed to at the end but we have already relinquished our authority without having to affirmatively act or revisit the item. So my friendly amendment would be to simply

add in the last resolve that performance measures should be delivered to council for review and approval by january 1, 2013. council member riley. Well, okay.

[Laughter] " aye. Opposed say no. Passes on a vote of 7-0. Call up item number 39.

>> Guernsey: Mayor and city council, item number 39, greg guernsey, case c14-2011-0141. This is a zoning change proposed at 8107 peaceful hill lane and 501 hubach lane this is for a townhouse condominium on sf-6 district zoning and first reading approved with conditions with a conditional overlay that would limit number of dwelling units to 60 and propose a 45% impervious limit and also a restricted covenant that would actually have conditions of the traffic analysis that would prohibit the use of gating, requires connections to charlotte lane and provide a 6-foot minimum pedestrian walkway extending from charlotte way to mario street. The question that came up under notes has been addressed by staff and there were two. One was a question regarding the 6-foot wide pedestrian way, which would provide that driveway -- excuse me the sidewalk connection and staff looked at the issue. The pedestrian walkway wouldn't enable to the park ridge apartments -- would allow them to access williamson elementary school without having to access people lane east of the subdivision and the goal of connectivity between these neighborhoods. The rezoning ordinance, there was a question that came up about the park ridge gardens subdivision to this house where there was a conditional overlay that says vehicular access to the property to peaceful lane is prohibited. All vehicle access to the property must be through adjacent streets or through adjacent property and item 2 part 2 of the rezoning ordinance for 2005, within the park ridge gardens subdivision, the proposed connections to charlotte way to adjacent property is consistent with the provision that vehicle acts through the property shall be through other adjacent property. Therefore does not conflict with the existing condition overlay. I want to point those items out. I believe we have some speakers here tonight and in the last meeting, the applicant hired a new agent to assist with this glenn wykert and he is here this evening -- weichert, and here to present on the owner's behalf and the planning commission did recommend the staff's recommendation with some changes but you added some additional changes to that at your first reading. If you have any questions, i will be more than happy to answer at this time. This is continuation of public hearing you had first reading and the public hearing is still open.

>> Mayor leffingwell: okay. The public hearing was left open. This is second reading and so we will call up the speakers. The first speaker is john stokes.

>> I thought it was glenn weichert's turn but I will go so if you desire.

>> Let me take these in order. We are taking the people speaking for first and that is glenn weichert. He is the only one. You have three minutes.

>> Yes, I may be the only one here for at this time. I will take the opportunity to speak. I want to speak quickly and reserve some time to talk in rebuttal. Can I ask if that zoning map can be put up, because sometimes it is confusing which side there is or possibly an overview of the property, but I will go ahead. Council member riley, when we were here last, you directed me, asked me to visit with the complaining property owners and I have done so. I went to chris and ronnie clark's house. I spent two hours there on the site talking with them. I also had numerous e-

mails, telephone conferences with John Stokes. I think Ronnie and John are both here and, you know, while we had wonderful, cordial talks, I don't have an agreement for you, so I would just like to cover where I think we are. Sf-6 zoning was requested and the only additional requirement staff put on it was to post this prior to third reading and PMZ cut it from 80-60 units and wanted public access from Charlotte to Peaceful Hill. That access is with the principal connect testimony but it sure upsets the neighborhood because of all of the traffic problems, the school buses and everything else. The applicant will be fine to make that a private drive and not provide -- it will be -- it will be a driveway through a condominium project but I know the council wants it to connect. That has created a lot of problems. Applicant would be great if they did not have that in this case. The council on first reading, reduced it from 55-45% impervious cover and required 6-foot sidewalk. I asked that you amend that -- I don't know where -- I can't find out where the 6-foot came from. Single family sidewalk is normally 4 feet wide, I think 6 feet is excessive in the scale of a single family community. Multi-family, I think is five foot sidewalk so I would ask you to amend the sidewalk with a requirement of minimum of 4 feet. We are also agreeable -- you probably have a list -- I will Clark talk about it, but there are issues that one thing I would like to say, there is visibility and privacy issue and they put it up -- if you will look up where Park Ridge Gardens are and the Clarks on the bottom area, we agree to make that a 25-foot vegetative setback so they could be adequately screened. It is densely vegetated and I think that should handle most of the concerns. Of course, we would like the exception -- [buzzer alarming] -- that there be a 60-foot opening at Shallot Way to have the entry treatments and et cetera from the vegetative buffer. That's the interest. Thank you. Thank you. We will hear from the speaker signed up against. John Stokes. Donating time Zoila Vega. All right. So you have up to 6 minutes.

>> Thank you. I will try to be briefer than that. I am at 7706 Peaceful Hill Lane. I am Stokes and I want to thank Glenn Weichert. Our visits have been peaceful and cordial and what I presented with you today is basically a position paper that reflects my attempt to get down on paper what the major issues are Weichert and the applicant. It's certainly not perfect. What I did try to do is incorporate everybody's suggestions and ideas as best I could. I tried to separate things out that aren't under the jurisdiction of the zoning process, and to come up with some ideas for how we could possibly resolve the main issue here with the neighborhood which is density. Weichert and I both agree a very, very, very large part of this problem is connecting automobiles to automobiles through asphalt. I am very, very much in favor of figuring out ways to get pedestrians safely there and very much in favor of figuring a way to get bicyclists there. You mentioned a 6-foot wide sidewalk before. I think that may be great. It may be considering a 4-foot sidewalk and a 3-foot bike lane. I think there are a lot of ideas that could be placed on the table. I think there are things that could be worked out. I listed some of them here. I wanted to call your attention to something that was of concern to me, which is the issue of adding any more single drop of water into that salvage yard. Fortunately we have a very, very good engineering solutions that itemized on page 5 that Bruce will speak to. I think there is an actual physical solution that eliminates it in my mind and I will let Bruce speak to that. I don't want to take too much of your time. I think we highlighted what our concerns are. I would say the heart of them all is density. The environmental setbacks. He suggested one. I suggested more than that. In terms of visual setbacks, I know there are site line issues. I think they can probably be negotiated either through COS or private restrictions or some other mechanism. There is various things here in terms of repair of adjacent safety infrastructure. There is some handicap accessible ramps that

are decayed in the neighborhood and need to be replaced by new ones. I think there is something that could be done. There is a well established program called the neighborhood partnership program, I believe, where funds from the community and other interested individuals can come together and decide to complete projects. I think that's a great way to proceed. It gives everybody a lot of flexibility and it gives the neighborhood input on targeting the things that they really think need to be done first. So I will just leave this with you with the thought that I think now that all players are finally on board and introduced to each other, that we be given time to figure out how to solve some of these problems and pending that, I just ask you to continue to respect our valid petition and that we would be allowed to go away with that valid petition intact and try to tackle some of these issues. I will be happy to answer any questions.

>> Mayor Leffingwell: okay.

>> Tovo: I have one or two. Council member Tovo.

>> Tovo: Thank you for the information you provided. It looks like you sent these two Weichert on just a couple of days ago.

>> Yes, that's true.

>> Tovo: So your neighborhood association hasn't been able to sit down with Mr. Weichert?

>> No, this was -- in fairness, he came in just recently, and we have -- there was -- I don't want -- I will let him speak for this, but my understanding was that there was some question whether the applicant was actually going to proceed so we actually kind of folded down.

>> Tovo: But there is a willingness on the part of your association and it sounds like a willingness on the part of Weichert -- I lost track where he is sitting -- thank you but there is a willingness to sit down and go through these concerns and talk.

>> Yes, I would call it serious.

>> Tovo: Eagerness is great and I am looking at the suggestions for May 17th and I don't see anything to make the access private. So I guess I am wondering.

>> I think it may be buried in there at some some point but it Weichert brought up and we both agreed that there is a lot of problems that will get 10% easier -- ten times easier to solve if that car to car to asphalt connection -- which I understand the theory behind it and connectivity is a good concept. I just think it's not working here.

>> Tovo: Who did you say the two parties were who agreed? Weichert and I had a conversation regarding that and he brought it up and I said you are preaching to the choir, basically, so -- but I do believe and I think it's important that we all agree on that, that the pedestrians have to have excellent connectivity, because with a loss of a bus, most of those people, if not all of Park Ridge Garden people who want to get to school walking are going to be restricted to a pretty funky kind

of sidewalk issue and if they were going through the property with a properly protected pedestrian walkway, everybody would benefit from that.

>> Tovo: Absolutely.

>> And the other thing is -- and this is just as an aside. I understand you want to expand the width of peaceful hill lane to 30 feet and where I live down on the north end, that's already been done but the other part of the south, I have no idea how you are going to do that.

>> Tovo: But to the point of -- I want to stick to --

>> sure.

>> Tovo: The point about the access through the site, yes, i would say it's really primary value to be able to get the children from --

>> yes.

>> Tovo: -- From the neighborhood to through that site and to the school because they are within a block. I went down and spent quite a time and spent time in the neighborhood and it is valued to have a neighborhood school that kids can walk to and this seems like an ideal spot to make sure that there is access but, again, I guess I would ask -- I see that there are some neighbors. I don't see the suggestion for a private -- to keep that a gated drive and I guess I would just ask that when you sit down with this meeting, I hope you have lots of neighbors. I mean there were a fair number of neighbors we heard from who signed the petition. I hope they all will be part of that conversation.

>> They will and part of reassurance, as was suggested, i went back and called the people who had issue with that and double checked and said, is this okay with if you if I go to council and explain we are in support of that, do you agree with it, and I got a yes from everybody.

>> Tovo: But to be clear, the first part of this is the white paper or the report is your opinion, not necessarily those of your neighbors'.

>> I guess I am not clear on which page you are referring to.

>> Tovo: Attachment peaceful hill lane attachment positions and solutions. Do those represent your position or the position of the neighborhood association?

>> It represents my best attempt to get on paper what the neighborhood wants in a straightforward and convinced way as I can, and I don't think I used the term gated. On the cover letter, I said we are eager to discuss the possibility of removing the peaceful garden ridge cut through and by cut through, always referring to automotive cut through so the idea is let's limit the cars next to kids and bikes and get the kids and the bikes through there as easily as possible.

>> Tovo: Okay. Again, I was trying to understand what were the ideas you were bringing forward and what were the ideas that came out of the neighborhood meeting. Again, I don't see that idea in the neighborhood meeting from your other neighbors but --

>> it was discussed by phone. I can tell you that.

>> Tovo: Okay. Thanks, mr. stokes.

>> Thank you. Any other questions? ronnie clark. Michael. You have up to 6 minutes.

>> Hi. I am ronnie clark. I just want to take a moment -- I am ronnie clark. I want to take a moment -- the reason that wasn't not addressed council member tovo, just recently, I think in the last weichert had expressed gating or closings off that access from my road to the condominium development. So that was not discussed in any kind of meeting of such. It is just something that came up. And I am for reducing the traffic that goes from park ridge gardens into the condominium development. However, I don't -- I am not quite sure that I can totally support it because I don't know the ramifications of what that means, having a gated community and if that's a possibility with the zoning that he's applied for. With that being said, I just wanted to say -- reiterate that my husband and I own and reside at 8104 south congress avenue, which adjoins the subject property known as 8107 peaceful hill. As you are aware, there is a valid citizen petition in opposition to this application for zoning. A petition which I signed and which I support. I am not opposed to the development of the subject property, but I am opposed to the development without the input of concerned members of the community and development that occurs before the necessary infrastructure is in place. I believe the biggest obstacle to this application has been the lack of transparency and an unwillingness to provide information to the members of the neighborhood by the applicant. In spite of our petition and well documented reservations, the first meeting between concerned citizens and the applicants representative didn't occur until may 17th, just one week prior to council's scheduled second reading, and only occurred because of the request of council member riley at the first reading. Thank you. Members of the neighborhood voice their concerns at the first meeting and asked for information from the applicant and requested a few minor concessions. That was with ed moore at that time. On may 23rd, the day before scheduled second reading, the applicant hired new representation without having responded to the concerns raised at the first meeting, one week prior. moore did ask us at the meeting to write down our questions and concerns. Everyone that was present at that meeting did so. That was on a thursday. We didn't hear from him until the following -- I think it was tuesday that he had forwarded the application and told that he was working on giving answers to us and we never heard anything from him and then of course hired a new -- a new weichert, so none of that was ever -- ever resolved. As a result we asked for -- we asked for and were granted a postponement in order to -- let me go back here. On may 23rd, the day before scheduled second reading, applicant hired new representation without responding to the concerns raised at first meeting one week prior. As a result we asked for and were granted a postponement in order to negotiate with the new representative hired by the applicant. Finally some of the questions asked by my neighbors and myself at the may 17 meeting were answered yesterday, in an email weichert, the applicant's new representative. While this is an encouraging sign, we could infer from the responses provided by weichert that it is likely that his client will not ultimately develop the property himself but will sell the property to an investment group who

will then develop the project. This makes it even more important that the neighborhood have a say in the terms of that development. While I support moving this application forward to third reading, I respectfully ask the council to recognize the validity of our petition and send a clear message to the applicant to work closely with the neighborhood during the time between the second and third reading, to reach an agreement that will be a win for the neighborhood, for austin, and the developer. You are all quiet. Do you have any questions? well, you still have time left. We are waiting on you. Forty seconds.

[Laughter] if you want to -- if you are finished --

[laughter] all right. Any questions? Okay. Thank you.

>> Thank you. bruce milton. You have three minutes.

>> Thank you, I am bruce milton. Thank you for your service. Civil engineer land development consultant practicing in austin 28 years and still not very good at it. Got three points I want to make. The lot count for this project, this there has been some discussion about how many lots can fit on this -- this piece of property. When you look at the odd shape and all the other constraints with the way the roads have to fit on the property, you can't really get the 60 lots that has been looked at with this thing. What I have done is picked up lots from the existing neighborhood. You can get 33-34 lots if you give the four heritage trees wide birth, if you get real lucky with the heritage trees you may be able to get 37 lots on this lot because of the strange shape and the odd corners. The traffic issue. The neighborhood transportation analysis done by staff initially did not consider melrose street that went in front of williams elementary. When we brought this up, they said they would redo it and they did and found that traffic increased 26% in front of mayrow and I looked at the results and saw they didn't factor in the traffic coming in from park ridge gardens. Park ridge gardens was originally going to access peaceful hill but they were denied that. They had pedestrian access to allow the students to get to williams elementary without having to walk through the woods so there was access through park ridge gardens but it adds an enormous amount of traffic that would go straight through this development, past williams elementary directly to south first. Using the traffic split that the city did before the access to peaceful hill on park ridge gardens was taken away, putting that traffic through the condominiums on to mayrow past williams to south first, you get 140 -- 134% increase, not a 26% increase in traffic. Staff has still not re-evaluated this. zaplack told me he would right after the postponement. I don't see george in here and i haven't been able to talk to him. It still has not been done, trying to evaluate how traffic is so much more than what staff says it is. There has been a lot of activity from the school and from the parents, traffic in front of williams is not good. More than doubling it is going to be a big deal.

[Buzzer alarming] I have something to say about storm if anybody wants to hear it. Otherwise, thank you you guys a whole lot. council member morrison.

>> Morrison: I would like to hear what you have to say about the tomorrow storms but also the numbers. You were talking about lot counts and that was under what zoning assumptions?

>> Sf-2.

>> Morrison: Sf-2 and that's what the valid petition states, correct?

>> Yes.

>> Morrison: And real briefly, in a nutshell, can you tell us about the storm concerns?

>> The storm is an issue that is not covered anywhere, the wrecking yard next door, down the hill is nonconforming use. It has been there forever. It is quite likely there is some really bad stuff in that dirt. The water -- there is no controls. Water flows straight through that site, adding more runoff uphill, washes more pollutants off of that site. The solution for this -- and there is still a few parcels uphill, would be similar to how storm water is treated over the edwards aquifer. All of water is captured and reirrigated. Instead of capturing it and reirrigating, it could also go back up the hill to peaceful hill and not be a lot more expensive than the way it is done over the edwards aquifer, pipe down to the creek on there.

>> Morrison: Is that going to be part of the discussion if you have time to talk to the applicant?

>> Hopefully.

>> Morrison: Okay. Good.

>> Mayor leffingwell: okay. Those are all of the speakers we have signed up wishing to speak. guernsey, this is posted for second reading. I assume that means it's not ready for third? What do you mean?

>> Guernsey: That's correct, mayor, it is only ready for second reading. There is a valid petition, but it is not effective at second reading. we know that.

>> Guernsey: A simple majority would carry this to third reading. we have felony that for a long time.

[Laughter] okay. Council member riley.

>> Riley: I would like to ask a question of mr. weichert. weichert, I appreciate your efforts and work with the neighborhood on this. I heard the neighbors were appreciative as well, although they would like to have a little more conversation in advance of the next hearing. Do you think that would be -- would you be open to that?

>> I will have to say this. My client, I have talked with him many times. I talked with the neighbors and my client sort of lectured me glenn, it is a matter of value. I contracted for a property back in october and I have gone through all of the things as the value has been reduced and reduced. So quite honestly, no, we will not agree as a condition of zoning to pump drainage where there hasn't been a study and it is not the appropriate time, different place. Many of the other things that you are talking about, so -- i am sorry to put it that way. My client has instructed me that let's go and if we can get this -- this is a good zoning. I mean, you will never have better transition zoning between sf-2 and the cs uses and the wrecking yards than this sf-6. It is

appropriate. You know it is. Staff has said it is. The conditions just keep coming on and coming on. Reduce the density, the impervious cover, we have done that. So I think we are at the end of the road. My client said if we can't get a 6-1 here to indicate it will get approved, he is going to drop the contract and look elsewhere. So I don't feel that I will be productive. It has been difficult to get the issues confined to something to work with and a lot of it comes down to the traffic issue. And you are asking a condominium to pay for a road -- basically a public road to connect all of these cars through their private drive, and they will have to pay to maintain that in perpetuity. So you are talking about thousands and thousands of cars a day going through this site that they will have to pay for in the way of a private road. So there are a lot of difficulties. We are not saying gated, but I wouldn't mind having at least signage that says it is a private road or whatever, don't mind putting the sidewalk. Would like it to be compatible to the single family scale and size, but just some of the requests, in my opinion, aren't appropriate for zoning and I do

>> Riley: I do see drainage is addressed page 5 of the 8 page letter but before you get there, there are a number of issues related to things that you would typically see in a zoning case, things like the setbacks. There is mention of a tree survey, and then, of course, the transportation issues, including bicycle and pedestrian safety and it seems that there is some for discussion about that. For instance, there is a concern of excessive traffic on that. One possibility might be bumps -- speed bumps on the road and you see them occasionally on roads, especially condominiums that are open to the public or private parking lots will place humps there in order to avoid fast moving traffic but also cut through traffic and it seems like things like that might provide an opportunity for some agreement between the neighborhood and the applicant, because there is -- there are mutual interests there, in discouraging cut-through traffic, so it seems like at least on those issues there may be room for further discussion. Are you open to discussion about any issues at all?

>> Discussion on that issue would mean agreeing before the site is even designed to be putting in speed bumps and where it is and that just hasn't been done yet and I don't think it is fair to require that to be done right now. Like I said, I would love to not make this a public access. That would solve all of these problems, except your problem which is connectivity. So that's all I can say about that. On the setbacks they put, we will put the 25-foot vegetative buffer >> it is extremely dense there and I don't think they will see each other. But as far as the design, the scale of the building, right next door in the ridge they have two story buildings. We are only talking about s f-scale buildings, one or two stories clustered in a condominium. The tree survey, they will be done at site plan, no, we haven't done a tree survey. Adjacent safety infrastructure. That is really not a zoning issue. Child safety and community participation program. How long can I discuss that? I don't know what to do about that right now, on this site. So you talked about the speed mitigation and cut through and my proposal is to not make -- try to make this function as a public street. If that is the challenge, why doesn't the city build a street through there to fix the problem and connect it. I don't think it was meant to be a public street but that's what is being made out of the drive. We are where we are but I don't have any ability to proceed further with that.

>> Riley: Okay. A question or two from staff. I see our transportation staff here. Can I ask a question or two about -- of y'all?

>> Good evening mayor and council, gary shaw, austin transportation.

>> Thank you. One thing we heard if there is some connection from -- from the park ridge gardens neighborhood through the project on to mayrow that there would be an overwhelming amount of traffic that would be placed on mayrow. Have you looked at the palomino impact on mayrow. We looked at the information from the neighborhood's melton has provided, and what I am looking at are estimated vehicle trips per day along that roadway. From traffic engineering perspective, we don't look at vehicle trips per day. We look at peak hour volumes. Those are not provided here, but a rule of thumb typically is 10% of your 24 hour volume on a typical weekday, you will see 10% in the morning peak hour, 10% in the morning peak hour and 80% the remaining 22 hours of the day. These volumes where, you know, there is about 1300, 1500 vehicles a day, that means 130-150 vehicles during the peak hour which is a car every 30 seconds from a traffic engineering standpoint, that would not seem a busy street to me.

>> Riley: I also wanted to ask about -- we heard assertion there was never any intention for shallot way to connect through. I visited the site and -- in fact, if there is a way to call it up. If you look at the end of shallot way, it is not a well rounded cul-de-sac. Actually, when you look at -- when you get to end of shallot way which is the park ridge neighborhood which is south of this project, you see it a big street barrier. Let's see if we can get the image up there. But it is essentially -- yes, that's what you see when you get. Now, that -- that kind of looks to me like there was some expectation that they road might go through some day because if it weren't -- I would be surprised if we never expected that road to go anywhere beyond that, I would be surprised if it was built out that way. Is it fair to draw any conclusions based on what we see there?

>> I would say, council member, that the design at the time anticipated extension, yes, sir.

>> Riley: Okay. I want to ask about the sidewalk. There has been some discussion about the width of the sidewalk and what would be an appropriate width. Are there any standards of what would be the appropriate width in a project for a size like this? Currently there has been talk about six feet, four feet. Is there any -- as a transportation engineer, as a traffic engineer, do you have any basis for judging what would be an appropriate sidewalk?

>> For a long time, the minimum standard sidewalk for a lot of communities has been four feet. The challenge then becomes the functionality of that. If I am wanting to stroll the sidewalk with my spouse, it is hard to walk side by side on a four foot sidewalk. As a designer, I prefer five feet, looking at the surrounding property and the potential for -- for pedestrian trip generation, if you can do 6 feet or better. If your sidewalk is against the back of the curb, you will want six feet or better, just to provide for some sly distance. A 5-6-foot conversation for a sidewalk on both sides of the street, not just one or the other is a reasonable conversation to have.

>> Riley: And one last question -- there is also talk about bicycle safety. I looked at the bicycle plan and I noted that the bike plan does call for bike lanes on mayrow. Is there any way we can actually expect bike lanes to be installed on that street?

>> I don't know. It is a better question to ask the bicycle program. baloch who is the area traffic engineer for south part of austin has had a lot of conversations with the community and we agreed to look at a variety of things to improve safety and flow -- traffic flow for all roadway

users in that vicinity. We've also extended them the opportunity to apply to our local area traffic management program that looks to mitigate adverse levels of speeding. So, again, the overall traffic volumes aren't as of significant concern to me as speeding traffic is. Folks are going to be there. We want them to behave themselves.

>> Riley: Okay. Thanks.

>> Thank you. entertain a motion on this item. Council member riley.

>> Riley: Mayor, I will move we close the public hearing and pass the item on second reading. This is a situation where wees -- where we have a serious pub interest at stake. We have an entire subdivision just immediately south of this project that actually has the nice sidewalk infrastructure, but unfortunately, they currently have no way to get to the nearby school on foot or on bike, no safe way to get there but as soon as you are out of the subdivision, no place with curbs, sidewalks and there is fast moving traffic and it is a fairly dangerous situation. If we can provide this one connection, you would have safe access, not only for the people in this new subdivision but for -- in this new condo development but also for the entire subdivision of the south. Safe bicycle pedestrian access for the whole area to the south. You would also have -- I think there is a strong case to be made that you actually would be mitigating traffic issues because right now you have a whole subdivisions that completely dependent -- they have to drive in a car to safely get anywhere and as a result of this improvement, they would actually be able to have perfectly safe access to the school on foot or on bike and so there would be an opportunity to mitigate traffic, just because they would now have the options other than the personal vehicle. I -- I would be -- I would suggest that we go ahead and pass on second reading exactly what we passed on first reading, although I would be open to other suggestions on once we get to third reading, if people want to -- it sounds like there are various possibilities on the sidewalks if it were setback from right-of-way, you could safely go down from 6 feet, it could be a possibility and that's the sort of thing that could be explored in continued conversations between the parties. I still -- I don't know if it is realistic any such discussions continue. So I would say absent any further discussions, we just stick with 6-foot sidewalks and there would be -- there would be opportunity to explore other safe possibilities for that sort of thing, but this is -- there is an opportunity here to serve the interest of the public as well as the interest of the neighborhood and the future residents of this community, and so I think this all of those interests would be well served by the current motion.

>> Motion by council member riley. Motion to close it on second reading. The same thing that passed on first reading. Second by council member spelman. Council member morrison.

>> Morrison: I supported the motion on first reading but I am going to be changing my position this time because large part -- I appreciate the point you made council member riley but I think there may be better ways -- different visions about different projects that could achieve that and in terms of trying to respect the issues raised and concerns about the valid petition that the neighbors, one of the issues was density and I had sort of voted on -- I had voted on first reading with anerstanding just based on a quick estimate with the density of sf-2 would be about the same as 60. But with -- with more careful computations, it is clear that it's going to be significantly less than that and I believe that we need to pay attention to trees and heritage trees

when we are zoning because we already learned that lesson, that we a certain zoning is approved and all of a sudden, the only way those conceived project can work is if the important trees are taken down and then we run into conflicts in the values that we have so I will be switching my note and not supporting this. council member tovo.

>> Tovo: This is really a tough case and that was with the neighbors, as I mentioned, i spent some time down in the area. I think this is a site that would be good one for residential development. It is within walking distance. The school, I think they are driving around the neighborhood and doing some walking. There are some other areas that have great sidewalks. It is in many ways a pretty walkable community in spots and I think -- I think a residential development on this site really could enhance the neighborhood. I appreciate the concerns that the neighbors have raised. I would strongly suggest there be a conversation. I am not suggesting, weichert, that I believe that every item that has been presented to you specific items is something that should be presented to you but know when we have a third reading, know a conversation has happened between the neighbors in the area broadly defined and the representatives for this project. So perhaps there is some way that some of the concerns can be accommodated but at least the conversation has happened. I will not be supporting the motion today but will be giving it more thought between now and third reading. I look forward to the potential there might be some positive outcomes from further dialogue, or some dialogue. I am not -- it is unclear come how much dialogue has happened before now.

[One moment, please, for change in captioners]

>> I'm Cynthia, one of the property owners at the corner and asking respectfully requesting postponement so we can engage the council to respectfully secure an agreement from Richard Subtle in writing so we can avoid the hardships we've had over the past year and thank you for your time. Because we all have endured quite a bit. We didn't know he was going to access the board of adjustments in this fashion and we went through rezoning and this would give us enough time to readapt ourselves to something else. And that's why we're asking for this postponement. And I had tried to come before council, people to try and circumvent this so we could get transparent information and was unable to. And everybody told me, I wasn't going to be here. Here I am! Thank you very much.

>> Spelman: I'd like to ask a question if I could. Councilmember Spelman.

>> Spelman: You want an Subtle or Mr. Subtle's client. About what exactly?

>> Well, I can't -- when we were trying to negotiate for the postponement, he goes out there and in three minutes wants me to make a decision and today, today only, he can give me a grease trap. I'm against those kind of car salesman tactics that he uses. I know he's a nice guy and everybody knows him and he knows how to work everybody --

[laughter] -- but it's disingenuous. We're women of color. We worked our asses off. He then comes and goes, I'm not authorized to negotiate. And so if he's not authorized to negotiate, he's very good about it, because he comes out on the last minute on Friday and says I think there's a minute on Monday in the alley about the utility removal. You can go if you want to. You don't

have to, and monday morning, an hour before the meeting, we get a fed ex-from white lodging corporation with the details of the removal and the map, or something. And so we just feel that we have participated in a very honest and gentle manner. We were going to park in the alley. The first thing I know, there i am at board of adjustments, he's going to meet, well, it will be too much traffic if we're in the alley. I come to understand, they never intended to park in the alley. They intended to do it on third street and be able to back up and maneuver on third street.

>> Spelman: Ok. So -- so we're talking about postponement.

>> Right.

>> Spelman: Why you want the piano pianoment.

>> So I can get it in -- the postponement.

>> So I can get it in writing what he's going to commit to and what they've promised, loading docks. I'm a mexican, mayor, and what people say and do are two different things.

>> Spelman: Grease trap is not enough for you, huh?

[Laughter] thank you. Two weeks, would that be sufficient?

>> Well, I would rather leave that to my counsel. Because I feel like it really requires that type of -- you know, negotiation. You know, I feel for the staff and I'm not opposed to them doing doing the dog and pony show, I see they've brought the hotel with the additional 30 stories on it and for the time these people have taken out of their day. But -- so they -- because it takes three people just to hold the -- the cardboard model. But -- but you know? I'm not opposed to that. I'm opposed to not being treated fairly and negotiated with honestly.

>> Spelman: I think that means yes. Ok. Thank you.

>> Cole: Since it's our normally our procedure to grant a one-time piano postment, I move we piano piano until next council meeting.

>> Mayor Leffingwell: Until june 28. Seconded by councilmember spelman. I would say that any delay, we have to realize any delay beyond june 28th is going to result in a significant delay in the construction of this project, which in term translates noose a significant lost revenue to the city. I think we have to keep that in mind and also keep in mind that a delay, postponement has been requested at every stage of this process, by the same party. So -- I have to wonder what the real purpose of the postponement might be but I'll support the motion to postpone until JUNE 28th. All in favor say aye.

[CHORUS OF AYES] Opposed, no. Passes on a vote of 7-0. Go to item 49.

>> Good evening, mayor and council. Betsy, neighborhood housing and community development. Tonight's hearing is on our action plan. We're in the middle of our 30 day

comment period. This is the second public hearing in regards to the action plan. The first was tuesday evening. As you negotiation it's our official application to hud for entitlement funds and housing opportunities for people with aids, and community development block grant funds, I think we have speakers and we'll be available for questions.

>> Mayor Leffingwell: We'll go to our speakers now. Stewart hurst. You have three minutes.

>> Thank you, mayor, members of council. My name is stewart, like most in austin, I rent. I'm here in my role as vice chair of the round table. A coalition of not for profits that builds and rehabilitates housing in austin that is decent and safe and close to public transportation. I'm asking you to adopt the framework for a siting policy for affordable housing in austin as part of the action plan this year. This document provides recommendations for council action in a year when federal investment in housing has declined dramatically and wastrie to make it possible for the poorest to live in all neighborhoods around austin. I thank you for your action on adding reviewers and inspectors and hope this results in fast track for smart housing when the city manager prepares the draft budget later this summer. I don't have to tell any of you that housing affordability ask a critical moral issue in a year when you receive a action plan that has no commitment to local funding. It's a moral issue when those performing essential jobs in austin have to continue to choose between housing they can afford and housings that safe. We may be losing our competitive advantage to other states and cities in texas when housing is not available for employees of businesses that are either already here or those considering moving here. This issue is more local than it's been in the past because of bipartisan federal disinvestment in housing. Yet the action plan draft in front of you contains no local funding. So I ask you to do a couple of things. Six, to be specific. One, use local funds to address the budget gap for nhcd. When you take up the city budget. Two, ask voters to approve \$110 million in housing bonds in november as recommended unanimously by the housing bond committee. Three, maintain the vibrant austin -- by creating transitional funding and while possible bond sales wind their way through the process. Four, the holly good neighbor funds. Five, embrace entitlement tools that don't cost money and rented by the round table and six, move inspections to the top of the pile so that all city departments are aligned through the budget process with your and our housing affordability goals and we would hope you take this up when you approve the action plan.

>> Mayor Leffingwell: Thank you. Next speaker is tom spencer. All right. will McCloud.

>> Council, mayor, I don't know where the mayor went to, but for the record, my name is will McCLOUD. And I'm speaking today about the austin -- affordable housing, basically. And if you would slow the slide for -- show a slide for me, it's got the paper -- the average rent of austin as of march 2012 is 948 bucks for a bedroom, there are many who receive social security disability. The next page is fine. Thank you. And ssi. Are you aware that the state of california and state of new york, they actually supplement social security benefits for the disabled? Now, no one is bringing this up to the table, no major city in texas has been doing this. We're the largest -- we're the most expensive city to rent from in the state of texas. We need to do something about this. Our vulnerable population, the disabled and the senior communities, are being swept under the rug. And rather than look for just throwing money at a problem, and hoping the problem will go - - get better, it's not. We need to have social security vouchers, like 200 bucks, for housing vouchers for one-bedroom apartments or any type of apartment here in austin. Up to \$200. And

we can find a way to fund that if we're getting corporate welfare and subsidies to apple corporation that's a sign that this city can actually afford to spend \$200 in vouchers and it's just ever adjusted through the cost of living for persons with social security disability income and supplemental social security income. Since the state of texas does not have that supplement, the city of austin needs to look into that. Because this will guarantee a fair housing for all austinites and they'll not have to move to the suburbs, such as saint margaret's. That's getting expensive too. Where do we go next? The north pole? Thank you very much.

[Applause]

>> Mayor Leffingwell: Stephen alamon. Those are all the speakers i have to speak in the public hearing. Councilmember martinez.

>> Martinez: A couple of questions for staff that was brought up I'll start from six and move up. Because there's a couple of them we can really talk about tonight. The smart housing and home repair permit, we also already provide a discounted rate if it's smart housing. But what are we doing as it relates to his request, seems to contemplate at one time those permits were moved to the top of the list or the highest priority to get reviewed as quickly as possible. Did something change and if so, what and why? guernsey is the one better to answer that.

>> Yes, I apologize, I'll defer to mr. guernsey.

>> Thank you, they're still a priority in my department but as I've been saying, we've been back logged as well. And so I think the additional staff that council graciously granted me today, along with the fire department, will help in that regard. So --

>> Martinez: Can you -- can you -- we still have four and a half hours of public testimony, but can you elaborate what that means, priority? Does it mean --

>> they get bumped to the head of other probablies that might come in. Also, the projects that they come understanding depending on affordability are discounted as far as the amount they would pay when they submit the application. But they have to be certified. Smart housing certified. So we work with them in that regard.

>> Martinez: Lastly, betsy, if hurst about the holly -- he made a request that we make housing safer in east austin. I want to know what he means by and talk to him and figure out what we can do with the unspent holly good neighbor funds allocated for home repairs. If there are unsafe conditions, because there's a sizeable amount of funds that are unclaimed and unallocated and if there are needs in that community, I would like to see if we can apply those to those needs. Thank you.

>> Mayor Leffingwell: Motion to close the public hearing. Councilmember morrison.

>> Morrison: A couple of questions for mr. spencer. We passed a resolution back in december, I think it was, and you went off and talking about siting policy, how we can be more proactive about geographically disperseel affordable housing around town and I'm -- we had asked for a

response back and I think you had given us a response back in march but part of it was because we wanted to be able to incorporate new ideas and things into this action plan. Can you give us a brief update how we're doing in all of that?

>> Sure, there's a short chapter in the action plan about the working group. The community development commission created a working group to discuss the siting policy. There are 15 members on that working group and they spent the last couple months discussing different options and best practices on how other community site affordable housing and how we might want to do that here in austin. To be able to make a recommend. That group has not yet come to agreement on what the recommendations would be. For a siting positive. Hurst described was the round table has one position and I think there's several positions possible on the working group and the best I can tell you right now, we've not come to agreement, or the working group hasn't come to an agreement in making a recommendation to the CDC who will then come forward.

>> Morrison: I think it's really important. I noticed that the roundtable recommendation references opportunity rich districts which is what we do now. And I hope we'll be able to get different recommendations even if they aren't all necessarily embraced by a majority or large consensus so that we can really hash through what some options might be. Thank you.

>> Motion to close the public hearing. Councilmember Morrison so moves. Seconded by Councilmember Riley. All in favor say aye.

[CHORUS OF AYES] Opposed, no. Passes on a vote of 7-0. Item 50.

>> Good evening, Mayor and Council. Director of Emergency Medical Services. We're here to conduct a public hearing to consider as an object first reading regarding an application submitted by Acadian Ambulance Service to provide non-emergency medical transfer in our community.

>> Mayor Leffingwell: We have one speaker signed up. Troy Meyer. You have three minutes.

>> My name is Troy Meyer and I represent Acadian Ambulance Service. Thank you for allowing me to speak to you. Currently a emergency and non-emergency ambulance service provider. Serving 23 counties in the state and 70% of the state of Louisiana and an individual county in the state of Mississippi, we have a vast variety of resources available for deployment in the states we cover. In Austin, we began services in 2007 as a non-emergency transportation provider and we've been successful in our efforts to increase the level of services provided to our citizens in this area. Employ 70 individuals in the city and of those individuals combined, able to take out 1 million in salaries we paid out from the company. We've also done an additional advancement to our communications center and that's expansion by investing 5 million to grow the communication center to better meet the needs of our ambulance service. That handles the call intake process and dispatching of ambulances from Bell County to San Antonio and Live Oak County area. We've made a lot of improvements and invests time and energy and efforts into and for the employees we have for our company. We've opened up a national EMS Academy in the city of Austin and that serves the purpose of training lay personnel to be EMT and paramedics and the growing shortage of medics available to provide ambulance companies with the need to meet -- to meet their need for staffing. Those personnel that go through the educational course are not

directly tied to acadian, the personnel going through the course are free to any ems agency. That's just our effort to better assist and better the system to provide for the surrounding counties and areas. We've had a strong working relationship and continue to have the strong working relationship with austin county ems and would like to continue that for an additional five years. It takes time and effort and with the capital improvements we have, it would take an additional five years from what we've already done to accomplish even more we have on our radar. So we're respectfully requesting your consideration to grant an extension to operate in the city of austin. Councilmember councilmember martinez.

>> Martinez: I move to close the public but I have brief comments as well.

>> Mayor Leffingwell: Motion by councilmember martinez, seconded by councilmember morrison. Motion is to close the public hearing and approve the ordinance on all three readings.

>> Martinez: I want to thank mayor for hanging in all dayous. We talk about privatizing services and while I'm supporting this and it's a private company there's specific reasons why. It's a non-emergency transport service, a critical component to maintaining a premiere ems system. Without this medical transport service that acadian provide, we would have to provide that via our fully operational system of -- within our fleet and i think it would arguably take away tremendously from that service. It's a great relationship. The education component is incredible in that they train all of these emts and paramedics and yet don't require them to come work with them. They can work at a hospital, or austin ems, or fire. They've created a great program in central texas and happy to support this item. All in favor say aye.

[CHORUS OF AYES] Opposed, no. Passes on a vote of 7-0.

>> Mayor, from the law department, one tiny correction.

>> The city's charter requires that the franchise ordinance be read three time, you're just approving it on first reading tonight.

>> Mayor Leffingwell: I'll entertain a motion to reconsider. Councilmember martinez moves to reconsider, seconded by councilmember morrison. All in favor say aye.

[CHORUS OF AYES] Opposed, no. Councilmember martinez moves to close the public hearing and approve on first reading only. Seconded by councilmember morrison. All in favor say aye.

[CHORUS OF AYES] Opposed, no. Passes on a vote 7-0. 51.

>> Good evening, mayor. Councilmembers. I'm paul lewis with the office of telecommunications and regulatory affairs. This item is in regard to atmos energy corporation's proposal to increase customer gas rates by \$49 million. 36% which includes the gas cost. 94% If you exclude the gas cost. These apply to a total of just over 6,300 customers that atmos serves. Chapters 101 through 195 of the texas utility code, the city has original jurisdiction for rates within the city limits. City council -- for rate increase 90 days beyond the proposed effective date. The city charter requires council to hold a public hearing prior to taking any action that affects rates for the franchise

holder. The city is the member of the atmos municipalities or atm, a coalition of cities affected by the rate increase who have jointly hired outside experts to review the rate filing.

>> The experts found that the atmos rate increase was unreasonable for several reasons and atmos has not consented to the proposed adjustments. The increase would more than double the monthly residential from \$7.50 to \$18. And also increase the monthly 75 to \$35 a month. City staff concurs with the atm expert recommendation that council deny the proposed rate increase by atmos. If the increase is mid. Atm will continue to negotiate with atmos and appeal to the texas railroad commission where the city will continue to be represented by the atm in the appellant process. Any questions.

>> Mayor Leffingwell: Questions? We don't have any speakers signed up who wishes to speak.

[Inaudible] councilmember spelman moves to deny. Did not approve the ordinance. Second by --

>> my apologies.

>> Approve the ordinance. Councilmem councilmem ber spelman moves to close the public hearing and approve the ordinance which denies the rate increase. Seconded by councilmember tovo. All in favor say aye.

[CHORUS OF AYES] Opposed, no. Passes on a vote of 7-0. Takes us to -- item 58.

>> Thank you, mayor and council council. Greg guernsey and joined by the director of the planning development review. Lead on imagine austin. I'm pleased to present to you the imagine austin comprehensive plan. This was presented to you on APRIL 22nd. Scheduled for a hearing but due to the latins of the meeting, we delayed it. And it was recommended by the planning commission unanimously and -- I should say on a 21-3 vote endorsed by your taskforce and numerous staff worked on this as well as the taskforce commission hours and hours and hours. There are basically three pillars to the plan that you gave direction. Community engagement, sustainability and plentiation. The plan covers the austin city limits but the jurisdiction, about a 616 -- square miles inside of. The population of austin has risen since the last time we started this plan. About two years-plus ago and now we're at 840,000 people today. I would be remiss if I didn't speak to some of the planning commissioners here. I think the chair of the planning commission is here. If you have questions, he can speak to that. And you honor tonight, the taskforce and there's numerous members here that also can speak to the hard work they put in. The plan had 10 elements established by charter back in THE MID '80s. The commission drought forward another four that you endorsed. I want to take personal privilege that particulariy, it was the -- mr. dick lily. He undertook a code rewrite of the zoning ordinance at that time that hadn't been amended since 1941 was updated over a period of about three and a half years and brought us the zoning ordinance in 1984. So dick is also here. And he might also speak to this later this evening. I'll turn it over for a short presentation.

>> Good evening, mr. mayor. According to our count, this is the 225th public meeting on imagine austin. And our first reunion of the taskforce. Great to see them here tonight. Brevity is my watchword. You directed extensive outreach. The objective was to give everybody multiple

opportunities to participate in the process. And many responded. We counted over 18,000 which exceeded the taskforce goals and compares very favorably to other similar processes around the country. First product that you reviewed, the planning commission taskforce worked on it hours and hours. Actually wrote portions of it. Was the vision statement. It's based on the public input. The first two rounds of public input produced the vision statement. Austin folks said in the year 2039, they would like a cities that livable. Natural and sustainable. Mobile and interconnected. Prosperous, values and respects its people and is creative and educated. The vision is translated into policies to guide growth and development and a growth concept map. The growth concept map promotes compact and connected cities, to keep austin both efficient in terms of providing city services, as well as convenient. The concept -- growth concept map advocates protecting established neighborhoods and revised to respect adopted neighborhood plans and focuses development in corridors and sensitive to make -- center centers and make sure they're accessible by walking, bicycling and transit and cars. And it's very much a continuation of past planning policies. David ross briefed you fairly extensively on chapter 5. It's organized around informing decisions. Moving the priority programs and perhaps most importantly, plan monitoring, tracking and updates, so informing decisions, the citywide perspective of this plan will provide -- is a valuable input for additional plans for zoning and capital improvements and departmental operational decisions on budgets and most importantly, and many are starting to evolve, partnerships with the rest of the community. The priority programs that are recommended in the plan are eight and there was a survey after the initial draft was produced and the public weighed in this terms of priorities and I'm presenting these in that order. I'm going to list that, I know there are members of the taskforce wanting to speak to you about the priority programs. The first is invest in a compact and connected austin. The second one is sustainable and manage our water resources and invest in our workforce, education systems and entrepreneurs and use green infrastructure to protect environmentally sensitive areas and integrate nature into the city and grow in austin's economy and maintain household affordability throughout austin and create a healthy austin program. And lastly, re-revise development regulations to promote a compact and connected city. So the last one is the book end to the first one, which is invest to create a compact city. We are starting to think ahead, what needs to be done, both to implement and monitor the plan as envisioned by our city charter. We hope to have that program developed this fall -- this summer and have an outline for the annual report by fall. And we're continuing a discussion with the budget office and the capital planning office about the plan's input to those processes. And then we hope, of course, to have the annual review -- the first annual review completed next -- in 2013. Tonight, it's on your agenda for a public hearing and possible action. What is on your agenda is the plan as recommended by the planning commission. Which consists of exhibit a, which is the table of contents, chapters 1 through 5, and appendices a through g, and the attached plans. These are the attached plans attached to austin tomorrow and are proposed to be attached to imagine austin and those are detailed in appendix g. With that, we're open for questions.

>> I wanted to add one more thing of the commission also included some improvements to the readability, usability of the document. Some corrections and edits, as it comes before you, there's a sheet you have in your backup. There was a citizen that pointed out just before the hearing started about the centers or the aquifer on the eastern side of the city and pointed out there was a correction noted and recommended to you by the commission and that was one of the be corrections. I wanted to make sure you're aware.

>> Mayor Leffingwell: Ok. Questions. We'll go to our speakers. We have quite a few. First is Roy Houston. Go in order of sign-up. Roy Houston is signed up neutral. You have three minutes.

>> Good evening, my name is Ora Houston and I'm sure that this plan will be adopted. But there's some challenges that I think are important to states so that we don't create the same things over and over again. One of the challenges in this process is pretty systemic in how the city relates to the community. An example is what we call community engagement. To me that means we start sooner, try harder and stay connected throughout a process with people who are without voice or vote on matters that directly affect their lives and their livelihoods. We have engaged -- livelihoods. We need to hear from different voices from different parts of town. Not check a box to say that input was gathered and public hearings held. Just to go through the motions of listening. Too and you, citizens feel that directions have been plotted, decisions made, and the product is given to the public to bless it. This plan, like the 1928 plan, does very little for people who have limited or no resources. There's very little that offers protection for the very anchors -- single-family homes, without which neighborhoods would be in a constant state of flux. People with no power continue to be displaced from areas where rent was once affordable. Homeownership a possibility and forced to move somewhere else. And that's called sprawl. Like the '28 plan, this new Austin is predicated on land grab from people who are resource-poor and can't say "no" rather than efforts to protect, preserve and rehab housings that are affordable, the plan is to demolish and replace through redevelopment, density. The vast majority of the units at market rate and a precious few for low-wage earners. Determinations made that living units in areas of town or blighted and substandard, ripe for redevelopment, code for land grab. The powers that be write grants to determine the viability of Rosewood Courts or Resign of Colony Parks. Expelling the haves so that the haves can develop the land. I guess I'm not neutral after all. Thank you for your attention.

[Applause]

>> Mayor Leffingwell: Next speaker is Cookie Reese. Following Cookie, will be Stephen Alamon, on this side. Is Heather here? Don't see her. David Wyatt. David Wyatt. Neither one is here so you have three minutes.

>> Ok. Thank you very much. Councilmembers, Mayor Pro Tem and Mayor. It's been quite a journey for the last two and a half years to go through the process with the Citizens' Advisory Committee Taskforce. It's been an important journey but also one -- a process that's I believe listened. Where I think these -- the plan came from the Citizens Advisory Taskforce and went to the Planning Commission and left that process in good faith, I think the Planning Commission also endeavored to listen and be -- endeavored to listen. The plan is not a perfect plan but it's one that does represent a lot of time and energy and thought. And recognizes that it is in many ways an aspirational plan. I think there are a variety of voices and I think that as in Houston -- as Miss Houston spoke and others.

>> The plan left with this list of things that we know need to be considered. But I think at this point it's very important for us as a city to continue to move forward with the plan and bring those who have dissenting voices along with that and we'll continue to refine and adapt as the plan evolves and I would urge you to move the plan forward. Thank you for your time.

>> Mayor Leffingwell: Thank you. Steven Alamon. Next will be Veer Agibbons. On this -- Vera Agibbons. And Megan. And Care Line. Caroline Wreck. Not here. Lisa Harris. Lisa Harris is here. So you have nine minutes.

>> Ok. Thank you, Mayor, Mayor Pro Tem, members of City Council. I'm the president of the Aught Austin Neighborhood Council. And we're a citywide coalition of neighborhood associations from all parts of town. I'm here to address Imagine Austin and first as I begin my remarks, let me ask all of those here on behalf of neighborhoods to please stand. Thank you. We've lost some people, as we've gotten later in the evening but we do have significant neighborhood support from all across town for my remarks and the remarks of folks who will follow, some marked by the pinkish sticker somewhere on their clothing. This evening, regrettably we're here to ask you not to support Imagine Austin. While much work has been put into the process, many people have labored and devoted hours and hours of time at meetings, regrettably, the plan is not yet ready for adoption. We have identified several issues, I'm going to highlight a couple of those in my opening remarks right now. Let me speak to five key issues that we have as the Austin Neighborhood Council.

>> The topics we'll be addressing primarily concern the growth concept map, the issue of the land development code, neighborhood plans and planning process, support for neighborhood businesses, and the general tone of the Imagine Austin document to ensure it truly is reflective of the community we want and all who belong in our community. What I want to emphasize right now is the point we've spoken to you about and spoken to the taskforce and planning commission from the conception and in regard to the neighborhood plans and neighborhood planning process. There are several references to neighborhoods in Imagine Austin. I think all of us recognize that neighborhoods are one of the key characteristics of this city that draw people here that make them feel so comfortable and at home here in this great city. Not any of us dispute that language and points made in Imagine Austin. However, this city has engaged in a process to help have an organic neighborhood planning process where neighbors come together for -- in their own communities can speak to how they see their area of town being developed. In fact, over half the extent in this city -- citizens, the residents in this city, are covered by a neighborhood plan and even more covered by neighborhood planning areas. There are several other areas that do not yet have a neighborhood plan. The issue we've spoken to you many times, and yet has not yet -- Mayor, your own statements in public to this point, is about the role of neighborhood plans, vis-a-vis Imagine Austin. And there's a couple of things I'd like to highlight on this point. If you look at chapter 4, for instance, there's several areas where it talks about -- this is by the way chapter 4, about shaping Austin. And in the definitions and descriptions of the elements that will go into the growth concept map represented by various colors and shapes, two, I just want to point out. Neighborhood centers and activity corridors. This is -- if you're by chance following along with the Imagine Austin document, it's on pages 97 and 98. Well, language was added by the planning commission about improvement -- approving the -- improving the description of neighborhood centers and corridors, none of these additions address the relationship of these neighborhood centers and corridors to neighborhood plans. And we believe that's a significant oversight. Neighborhood plans have been the backbone of moving-to-citizens forward and the involvement in this city, when the city of Austin does planning activities, most of the excitement comes from the ability to say this is what my corridor is going to look like. This is what my neighborhood is going to look like in the future. Yet when we talk about

the growth concept map and adding neighborhood centers and adding corridors and having them go across this city, shouldn't there be a reference and context and starting point neighborhood plans? It's not there. It needs to be there. This plan is not acceptable without that reference. More important, as we turn to chapter 5, which is implementation, on pages 197 to 200, it talks about planning and coordinating all of the small area plans, including neighborhood plans with imagine austin and we come to this important passage which now I believe you have before you on the screen. This is an excerpt from page 200. And it talked about the relationship between imagine austin and the small area plans and neighborhood plans and it says during this growth period referring to the next 30 years we're planning for, that undoubtedly find inconsistencies between imagine austin and other plans and the plan simply says that changes will be addressed through the process. Through the process of public amendment. There's nothing in here, mayor, to recognize your push statements, for the -- your public statements or the statements of most of the members of this council that says imagine will not trump neighborhood plan. This document is not acceptable without that language, which you have said over and over again, made a pledge that imagine austin will not trump neighborhood plan. All this says there's inconsistencies and when there are, guess what, there's going to be a public process. I think that's a given. What we're looking at is policy guide and a policy directive that says neighborhood plans are the organic planning process that this city has adopted and invested millions of dollars in and most of you, if not all, have pledged publicly to protect. But yet we've gotten to this point in the process where it's still not there in the plan. And I find this plan unacceptable without that. And this is the principle -- principle illustration on page 200 where the rhetoric is not meeting the writing. It's interesting to note in other places in imagine austin an illustration provided by neighborhood planning. There's reference to dove springs and the community being brought together to articulate their visions and needs. I think that's an inherent recognition that neighborhood planning is essential and what we value. Members of the community coming together and saying this is what we want our part of austin to be like. Yet when we get to the plan itself and implementation, there's nothing here that says neighborhood planning is going to continue. It's sort of alluded to, but nothing again, specific about protecting neighborhood planning process and doing other places in austin, beyond dove spring to be able to have this opportunity. That's a short coming that makes it unacceptable. There's another point I want to highlight and that's with regard to and this has been stated before and it's in the plan about moving forward. Mayor and members of council, I do appreciate all of the effort of the taskforce members and all of the members of the planning commission. They have been open minded, I think, and receptive. Of having us be part of the process, but this is nothing to do with personality, at this point, it has to do with policy decisions that have come -- we come to you to make those calls about. About protecting neighborhood plans and about the land development process, revisions to come. Because as important as this plan is, it is just a plan. When we get to the land development code, those are going to be changes in law. And we'll ask that you reference what's on your screen now, page 19 and the language it sets forth. A framework for -- page 189. To see that the changes protect neighborhoods. Thank you and I'll answer questions if there are any.

>> Mayor Leffingwell: I have a comment.

[Applause] since you evoked my name several times.

>> It's true.

>> Mayor Leffingwell: You referred to me several times in your discussion. I've been consistently told by our staverybody I asked questions, the neighborhood plans are now written into law. They are law, right now. Can only begh the normal process, the process by which they're changed today. And when I read that highlighted version that you had, I think that's what it said. You can -- if you can call it back up, that highlighted -- yellow highlighted paragraph that you showed the visual of.

>> Sir, yes.

>> Mayor Leffingwell: Show that.

>> Yes, sir.

>> Mayor Leffingwell: The last sentence, says changes to the small area plans, neighborhood plans will continue to include public input from the affected parties and will follow the adopted neighborhood plan amendment process. What does that mean?

>> Well, that's just the problem. It -- it says nothing more than what we already have. What we have been told is that when there are -- conflicts that acknowledged there in the previous sentence, that neighborhood plans will not be trumped by imagine austin. All this says is a reference back to our current process. So anything is possible in that process.

>> Mayor Leffingwell: But the neighborhood plans are a law. Has to be changed through a public proscribed process and so how can it be otherwise? I'm having a hard time seeing?

>> If I may, mayor, just -- i think what we're looking for is policy guidance in the plan language. That as it acknowledges, there may be difference, conflicts, variations between the broad vision and the specific vision, what we're looking for and thought we'd been told is when there are those conflict, imagine austin will not trump or override neighborhood plans. It doesn't say that here. All it says is reverts back to the generic public process of how one would change it and our reading is that frankly, it just means we'll -- yes, we have to , but there's nothing in here that protects the neighborhood plan.

>> Mayor Leffingwell: My clear understanding and I'm saying on record again, that neighborhood plans can only be changed through the normal amendment process and not by adoption of the imagine austin plan. guernsey, would you care to comment on that?

>> Well, mayor and council, I'd like to point out two things: The last sentence was not highlighted and -- it should be addressed through an annual review. There's an annual review. But on the same page that's referenced by steve, there's also a paragraph that speaks to where there's an small area plan that exist, recommendations should be consistent with the text of the plan and its future land use map. That future land use map is what's in the neighborhood plan, we spend two, three years going through and having adopted. Or an equivalent map as it exist, because we have corridor plans that may be adopted. Where no small area plan exist, the imagine austin should be used as a guide in zoning decisions and requests should be reviewed against relative 00 and so -- comprehensive plan plan, understanding that steve is looking at this

particular section, but you have to look at the entire page, the context of this and we've said as we've told you mayor and council and others, that the neighborhood plans as they exist, the future land use map, they speak to a parcel by parcel level and this plan speaks to a vision for all of austin, the 30,000 square feet elevation, so this is guiding general policy, general decision that affects the entire city and is respectful of the neighborhood planning level on a parcel by parcel basis as it exists and would require any changes to that to come back through that same neighborhood planning process and council, we're going ahead with the neighborhood planning process and finish the directive that three councils again told us to do the neighborhood planning process. Council adopted today a resolution to again start that process. So I wanted to point that out.

>> Mayor Leffingwell: Plain and simple.

>> The neighborhood plan plans in place now, are unchanged by the imagine austin plan. They can only be changed through the same process by which they're changed today?

>> That's correct.

[One moment, please, for change in captioners]

>> let me, I guess, try to give a potential illustration, for instance. Let's take the fact that there's designation of activity corridors and let's say this activity corridor goes through part of austin that has a neighborhood plan, as you can tell on the map, there's lots of yellow lines and it goes through the core of austin where neighborhood plans are. When you look at the description and definition of activity corridor, there's no reference at all to turning to the neighborhood plan as the guide for a particular development and particular density that might come into that particular corridor. So the neighborhood plan gets no preferential treatment, no reference as a starting point, and so then you're stuck with saying, okay, then we have a developer and have the fancy model and we want this right here and it says activity corridor, so this is activity. It's envisioned by imagine austin, the comprehensive plan, so we get to have that nice big building. So this might conflict with the neighborhood plan and that's where the must be might be -- let me ask you another question, on the same line but a little different. We're going to start back up the process of doing neighborhood planning, and so one of the concerns i thought you alluded to was, you know, the question of whether existing plans will be treated -- I mean, whether new plans will be treated like the existing plans under imagine austin, and that there is no language to make that clear. Did I understand you correctly on that?

>> Well, there is language about -- and I think guernsey did refer to it, about how imagine austin will, quote, guide future small area plans, including neighborhood area plans, and we want to make sure what the people in dove springs got to do in this process, which is articulate what we want free and clear of other constraints, that other parts of town have that same entitlement and ability.

>> Cole: thank you, steven. council member morrison.

>> Morrison: thank you. On that topic and on a few other, steve, I'm not sure if you're aware, but we've had an opportunity to discuss this at the council a few times, our comprehensive plan and transportation as well as our work session, and I have passed around, and I had -- we have spoken, you've spoken to everybody about these issues and I have some language prepared to try to address some of these, like the fact that neighborhood planning the continue. I want to ask you two things, one, in terms of the whole issue of neighborhood plans, imagine austin not trumping, I do see a statement that says imagine austin is not a plan that supersedes previous plans. Is that pretty close to what you're looking for? Would it be more direct if it says imagine austin does not supersede previous plans?

>> There is that line up there, but then, to me, the way that the paragraph flows, that sentence doesn't seem to apply or in the context of identifying the inconsistencies that we know we'll eventually run into as we move forward with development in the city.

>> Morrison: right. And that was something, clearly, that was an issue several months ago, and that's why we went through as cookie ruiz referenced, the bonus round of the task force and planning commission when we did the resolution asking a tremendous amount of work. Part of it was to compare the plan, including the maps, with the future land use maps, a than that is an important thing. But the point you're about to get to and I would like to hear in a nutshell your rewriting of the land development code and how the plan sets us up in a good or bad way to do that.

>> Good. Well, the -- this is not the end of the process. This is really just a milestone, important milestone as the city moves forward to think about the future of the city, and of course we all want what's best for the city. I guess we may have policy differences about the significance of language, but the pour language that is in the plan, though, is about the framework for providing for the changes or potential changes to the land development code. The land development code, obviously, as I was alluding to, it's one thing to have a plan versus to have the law, the ordinance, and that's why a land development code is so critical to us, because it does encompass critical neighborhood protections, and when we move forward with trying to implement imagine austin, we need to ensure that neighborhoods that have a covenant with the city through the land development code is recognized and is, again, the starting point about how many people benefit from the quality of life and where the quality of life derives from in their areas. It derives from the fact that we have a legal framework, and, for instance, compatibility standards, that allow us to enjoy where we live and what makes the quality of neighborhoods so unique. so I think you're referring to the language of the planning -- the planning commission added in terms of referencing the protections we already have, making sure we carry those protections forward.

>> I think we do find that language on page 189 satisfactory.

>> It's something we got right.

>> Yes.

>> Morrison: terrific. Thank you. next speaker is vera givens. David white. Is david here? David is not here. Steve speier? All right. You have to six minutes before you start. The next speaker is

joann barts on this side, and she has a couple folks donating time. So I would just ask everyone to help us move this along by getting ready to speak and so we don't have to wait for you to walk up to the podium. And before you start speaking also, council member morrison moves to extend the meeting past 10:00 p.m. Council member martinez seconds. All in favor of that say aye.

>> Aye.

>> Mayor leffingwell: aye. Opposed say no. Passes on 7-0. All right. Go ahead. mayor, mayor pro tem, council members, city manager, I am vera givens, president of the university hills neighborhood association, and tonight we'd like to say that the current comprehensive plan is a source of widespread dissatisfaction and disillusionment, it reflects only the desires and wills of certain interests, both outside and within the city. The plan emphasis is on the newbies to austin, at the expense of citizens who have supported austin for generations, a distinct lack of interaction with north, with northeast austin and east austin regards the -- let me start over again. A distinct lack of interaction with northeast, east austin areas regarding the planned increase in the commercial zoning in these areas. That means commercial zoning in northeast austin and east austin. And I really want to say I'm glad you're looking at the east side of i-35. I have lived there for years. But I really would like it to be given the respect that we have -- that we're entitled to. Now, back to my script. The placement of most of the 750 additional citizens east of i-35 we really object to. The lack of planned funding sources to pay for infrastructure improvements, land and water, to accommodate the needs of these new citizens and the revisions of current neighborhood plans, which you talked about earlier, and the local -- and the current land development code compatibility standards by the planned revision of the land development code, which with certainty will follow approval of the comprehensive plan. We need a new plan based on reality, not party gains. In depth interactions with citizens regardless of economic status and our location, the needs of citizens at all age levels, protection of multi-generational housing from gentrification. We see a lot of that. Giving equal emphasis to the needs of long-time austin residents versus the emphasis placed on newbies to the austin area, no input from consultants, no overload from the city bureaucracy. We have no assurances that in the future the concerns and needs of northeast and east austin will receive full attention, funding and city of austin support at levels now provided to areas west of ih-35. Thank you. thank you, ms. givens.

[Applause] next we have joan barts and we have jennifer fish donating time to ms. barts. Jennifer, are you here? Jean allen? barts, you'll have a total of nine minutes.

>> [Inaudible]

>> cole: that's okay. I won't tell him.

[Laughter]

>> I appreciate that because I'm no good at -- he might be listening, though, so you better --

>> I just don't run that fast. I am joann barts. I am a member of the university hills neighborhood association, but I'm not speaking in that guise. I'm here as a citizen, a taxpayer and a voter. And I'm going to be speaking a little differently than you'll probably hear from anyone else here

tonight because no one else can speak to what I'm going to speak to, and that is I've been down in the trenches in one of these projects. Back in the '70s, '72 to '75, the original austin tomorrow program for -- at that time it was for 20 years down the road. Somehow I got elected president of that -- those assemblies of that program, and I know exactly what everybody has been going through, and I appreciate -- I want to make that clear -- I appreciate and recognize the intense work that is required to get to where you're going. However, I have been a bit appalled by this particular process because I can compare it. I'm one of the few persons who can compare it to a previous situation of the same ilk and how the two were handled differently. So let me start off by saying, I'm going to give you a quotation. I see no reason why I should sit down with housewives and blue collar workers to discuss the future of the city of austin. That should be left to the business community. That's a direct quote that was made to me as president of the goals assembly of the 1972-75 program by an attorney who was on the goals assembly and took great humbrage with the fact that other people in this community in this city other than the business community was allowed to do this program. That program was being funded by a hud grant which made it very, very clear that it was going to be a citizen-run program. There was to be no interference from the bureaucracy, there was to be no consultants. The citizens did it. lilly is here tonight, i understand. I haven't spoken to him in years. Hi, dick. But his role and the role of the staff of the city, the bureaucracy, was strictly to act as support staff, preparing minutes, et cetera. They had nothing to say about anything else in the program. At any rate, seeing what's been going on, regrettably nothing appears to have changed in the past 40 years from that attitude. Today, as revealed in the current manual austin plan, those officials, bureaucrats and special-interest citizens who lay claim to privileged status and perceive power to craft a new 30-year plan, are by their actions and their words reiterating this elite eyes statement expressed in 1975. In the current vernacular, this has been identified as the plantation attitude. I don't know whether any of you are hearing it yet but it's sure going around, a tool by which citizens of austin are kept in their places while their masters decide what they should be provided, when it will be provided, at what cost it will be provided, why they are not allowed privileges provided to those considered of higher status, and who will be allowed to remain -- or to maintain their multi-generational homes as opposed to gentrification favoring the newbies who the masters have determined reflected in the master plan, the new plan proposed, that these are the future saviors of austin. The 1972-75 plan, I'm going to give you just a little bit of background to show you why I feel the way I do. The original austin -- and that was the original austin tomorrow program, even though it got shelved, literally, not figure ratively, literally, never used as best as I can determine to any extent. The original austin tomorrow plan based its work on the -- was based on the work of citizens from all walks of life, and in agreement with the hud grant, it was based -- every -- every one of these entities had to be represented in the program that was gender, sex, age, occupation, location and ethnicity. Subjects -- and people were saying, it's a citizen-run program. It never was any good. By the way, here it is. I'd be very surprised if anybody sitting here today, even those who have seen it -- thank you, one person, two, three, four, that's great. I doubt sincerely that you'll be able to find a copy of this in the planning department or anywhere else archived in this city's records. I am constantly amazed 40 years later at the depth and the scope of what the citizens of austin, texas did on their own, no bureaucracy, no consultants, strictly on their own and producing -- this is a magnificent document, and if you haven't seen it, you need to get it, you need to look at it, you need to study it, and then you'll appreciate what the citizens of this city can do, not anyone else, the citizens. And if you ever get a copy of this hold on to it because I think it's a relic. Okay. All opinions working with this program -- all opinions

were accepted without discrimination. Everyone involved in the process was considered equal. In soliciting input, the citizens were treated as intelligent adults, able to comprehend and work within multi-layered plan requirements. All this was accomplished without consultants or bureaucrats, as I've stated. In contrast, and this is where I began to have a problem with this particular -- what's going on. In contrast, the imagine austin plan has resorted to childish games such as magic boxes, sticky notes, dot placement on and on and on, while playing hide and seek with data necessary for intelligent decisions to be made by citizens working their way through this bureaucratic hall -- or you could say hell of mirrors. Citizens have been subjected to preordained work session results. I experienced it myself. Biased panel discussions where in one instance the presumed moderator segued into being a panelist, proselytizing for the imagine austin rubrics, and additionally and almost, i still cannot believe this, almost beyond comprehension citizens were subjected to criticisms of their questions and suggestions by bureaucratic personnel when such citizen data apparently did not conform to the company line. I don't know about you, but citizens are the ones -- are the employers of the bureaucracy, and I found it insulting that our employees had the nerve to talk that way to their employers. The ultimate insult to the intelligence of austin citizens is the so-called grilled concept map, which indicates a complete disregard for the concerns of the citizens, taxpayers and voters who have maintained the viability of austin from inception to the present day. This map is nothing more than an attempt to endorse the overall intent of the plans, which is the complete disassembling of austin as desired and maintained by its long time citizens while creating a hybrid of concrete canyons replacing both residential communities and a more gentile generational way of life, which will disappear completely with the inception of this egregious plan. That disappearance also will be the result of your -- when I say your, I mean the makers of the plan, and if you all approve it -- of your insistence to change austin into a duplicate of portland, seattle, po can, east coast locals, cities in korea, japan, china. We are not and do not want to be like these locations. The newbies moving to austin from such locations do not have the right and should not have your assistance to override the wishes of long-time residents of austin to keep austin austin, and that should be our motto, keep austin austin.

>> Cole: thank you, joan. Thank you.

[Applause] next we are cory walton. Corey, are you here? There you are. Come on down.

[Applause] and after corey, we have steve drenner on this side. I'll try that, like the mayor.

>> Good evening, mayor pro tem, council members. I'm corey walton. I am vice president of the golden creek neighborhood association but not speaking in that capacity, but just as a citizen. But I want to talk briefly about the bouldin creek neighborhood plan, 1998, we were one of the first, joined about 30 of my fellow neighbors and several very, very dedicated city planners. We met biweekly for nearly two years. We learned a lot about growth, zoning, economics, transportation, environmental preservation, and we came back with what i thought was a very good neighborhood plan to preserve a quite dense single-family residential neighborhood where kids could -- were walking distance to school or grocery stores or parks, adults could take the city bus to work. A lot of thought went into that plan, and I think a lot of those goals and objectives sound very much like the won that are lauded in the imagine austin plan. These neighborhood plans actually evolved out of the previous city comprehensive barts alluded to, the austin tomorrow

plan and the subsequent austin plan. Like the neighborhoods' plans, those were written bottom up by the citizens, barts said, those plans were largely ignored and shelved. This time the city took a different tack, and it came from, I think, several predetermined precepts and it's been promoted from top down with no deviation throughout nearly two years of narrowly focused public exercises. In an effort to make up for what many consider that lack of public participation, the planning commission recently recommended to you all several language changes to the plan, and at this late stage of the game I hope that if the council is considering adopting the plan, that at the very least those recommendations from the planning commission be included in their entirety. I wanted to conclude by giving you an example of the alaman, some of the concerns about the changes, the visions of the larger envision austin plan and how they could directly conflict --

>> cole: thank you, corey.

>> Okay. I got to go on. If anyone has any questions I'll continue with that brief example. Otherwise not.

>> Cole: thank you, corey.

[Applause] council member morrison has -- corey, council member morrison has a question for you. can you finish just real briefly in 15 words or less?

>> Yeah, for example, i wanted to give an example of -- actually that's just beginning to take place. Let's say in one of these imagine austin larger -- or smaller growth areas, let's say it was a growth corridor wherein the zoning has changed such that compatibility standards are reduced from 540 feet to 270 feet. So the impact on the adjoining residential neighborhood, let's say, that had a neighborhood -- an adopted neighborhood plan has drastically been changed with no change to the neighborhood plan whatsoever. So they're -- the impact on them has dramatically and drastically changed from a plan that they signed on to with the understanding of, you know, the extent of the compatibility standards. and you're saying that's what the planning commission dealt with?

>> Well, I hope so. in terms of the language modifications?

>> I hope so.

>> Morrison: yeah.

>> Cole: thank you, corey. Steve drenner? Steve drenner? Michelle haasman? Michelle hoffman?

>> [Inaudible] you do not wish to speak. Kevin weir? Kevin? Okay.

>> Hi, I'm kevin weir. I am one of the people that participated in I think most phases of this planning process. I know a lot of people put their heart into this thing. I know garner stole has. I had many conversations with him, I feel like I have a new friend in garner through this process. You know, I put my heart into this thing too, spent a lot of time in it, and i think that I have a few

concerns I wanted to share with you all, and then maybe a few comments from the discussion that's happened already. First of all, my concern is that I want to make sure that neighborhoods that don't yet have neighborhood plans don't get the short end of the stick, that they get treated with the same consideration as neighborhoods that already have plans. I would like us to enjoy the neighborhood -- I am in north shoal creek. North shoal creek and allandale were next up. We actually started the neighborhood process to have a neighborhood plan. It got stopped because resources got allocated to the comp. plan. I understand that's coming back, but I would like to make sure that we have the same liberties and the same respect that the neighborhoods that went before us had. I understand that mayor pro mayor pro tem cole, that you're going to assist us with wording on that, and I really appreciate that. Thank you. I might suggest based on this conversation that we've had already that, you know, I was saying maybe the wording that we could add was something like that a new neighborhood gets -- plans get treated with the same respect and have the same authority as existing plans, but maybe we could also add a sentence that said, all neighborhood plans will be respected and not be overruled by the comp. plan. If everybody supports that and we want to be clear, then let's just put a sentence in there that says that. I just have to speak the truth here. Mayor, you asked what -- you know, what the ruling was, and you got kind of a long sentence. You said, what's the bottom line there? I can tell you, I sat along the way in this process and kept getting wishy washy answers and then finally -- I got a long email chain on this too and finally in a meeting where we're drawing maps and I asked guernsey, I said, what is it? If it comes down to one versus the other what is it? The neighborhood -- which is going to give? And he said the imagine austin, the imagine austin will - neighborhood austin will trump the comp. plan. He said that. So let's clarify that, that let's put a sentence that says neighborhood plans will be respected. I can give you another example. I have a concern also that -- you were saying what's an example of the conflict here. 8100 Burnet road on first reading, you all approved unprecedented ms 6 zoning. We don't have a neighborhood plan, so we didn't really have anything to stand on with that. So if we had a neighborhood plan maybe we'd have a little bit more leverage to say can we modify that a little bit. So I think that's a good example of the conflict right there. And then third I'd just like to say -- I'd like to quickly point out that the short-term rental ordinance that you all passed on first reading last week undermines the comp. plan.

[Applause]

[inaud

[inaud ible] is james shisler. Is james here?

>> Yes. you'll be on the other side, jim.

>> Thank you once again, mayor and council. My name is stewart harry hirsch, and I like most austinites still rent. I'm here tonight to ask you to adopt the imagine austin plan tonight and have it replace austin tomorrow, which is so outdated. I was on your staff when you adopted it. It's that outdated. Imagine austin is not a perfect document, and the major suggestions I've made in numerous meetings about austin being a home ownership city, mitigating gentrification, and creating incentives for housing affordability that really work have not been incorporated in the document before you, but there's time to work on these during code deliberation and budgeting

exercises in the future. Imagine austin will cause all of us who care about our city and its people to find more creative ways to solve our problems that don't bankrupt us as a community. Here are some topics to consider in this and future budget deliberations that take us back to the good days of the past. One, reinstate the # 090 code enforcement measure. 90% Of housing and zoning complaints, result in compliance within 90 days. It used to be a budget measure. Reinstating the smart housing fast track policy that i talked to you about earlier, and I won't repeat that tonight. Reinstating the 9574 measure for all inspections. 95% Of all requested inspections in by 7:00 a.m. Are performed by 4:00 p.m. The same business day and the carry-over is first thing the next business day. 4, And this deals with your 1900 burton problems that you have all over the city. Reinstating fee-based inspections for any existing building for people who perform required maintenance repairs if city inspectors will provide a list of what needs to be done based on the age of the building. 5, Re-create building inspection and code enforcement as one city department by making it an enterprise fund department. Once again, when I came aboard in '77 it was one, then you stole \$6 million, your predecessors did, put it in the general fund, and they've been understaffed every since. 6, Reestablish a housing affordability annual goal of 1500 new smart housing home ownership and/or rental homes by increasing the incentives needed to attract more private sector partners. We used to achieve that in the middle of this current decade. We don't anymore. And finally, 7, commit local funding and/or create enhanced land use entitlements to achieve all of these goals. Our children and our grandchildren deserve an austin that is as good as it can be. By adopting imagine austin you help put us on a path for achieving this goal. Thank you for your time. thank you, stewart. Jim?

[Applause] mary engel will be next on this side.

>> Good evening, mayor level and council members. My name is jim shisler and I'm speaking as the president of oak hill association neighborhoods, which comprises 23 homeowners associations and neighborhood groups in southwest austin. There are three items on the imagine austin plan that we are requesting to be changed. First, the oak hill neighborhood plan as previously formulated with input from the citizens of oak hill and adopted by city council designated a location for the oak hill town center, and this designation has been supported by the community throughout the comprehensive plan process, by city staff and by the consulting team with the town center designation, and it was only a vote of the imagine austin citizens advisory task force during the february meeting to overturn the public support for the oak hill town center and change the designation. The ohan member voted overwhelmingly to request the designation be changed back to the oak hill town center. Second, the need for an arterial highway connecting between southwest and southeast austin has been shown on every major transportation plan in the austin region for the last three decades. The citizens of austin and travis county voted and approved a transportation bond that authorized the purchase of sh 45 southwest right-of-way, and this process has occurred to buy the right-of-way. Travis county empowered a committee consisting of travis and hays county commissioners, the former austin mayor and other local efficiency officials and to hold a public hearing concluding that sh 45 should proceed with design and construction. The residents in the neighborhoods along brodie lane and slaughter lane desire relief from the traffic congestion and implore you to improve the safety of these city streets by supporting the inclusion of sh-45 southwest and the imagine austin plan. Again, a decision by the imagine austin citizens advisory task force with few, if any members from these neighborhoods during the final meetings in february voted to overturn the public support for sh-

45 by removing it from the plan. Third, the transit route from austin to downtown austin would logically be to use sh -- highway 290 to mopac, but instead the transit route that's shown goes east on convict hill road, a two-lane street, then south on escarpment boulevard, then east on slaughter lane to mopac. The circuitous route is longer and crossed many streets rather than following a major highway with frontage roads to the downtown area. We can only assume the intention of this route was to prevent funding of improvements to the to sh highway 290 from occurring. Please make these changes to that ohan has requested. Thanks for your time and i can answer any questions you may have. thank you.

[Applause] I would like to ask mr. guernsey a question. Is it true that the imagine austin plan redesignated the town center space that was approved by the council in the oak hill neighborhood plan?

>> In the oak hill plan, the intersection at 290 and highway 71, that y, was actually left blank. It was to be discussed at a later date, and so there is not in there a definitive land use that zones the oak hill plan. The planning commission recommendation that came before you did not have that as a town center, and those nodes that are over the aquifer are designated differently. So the recommendation that's coming to you from the commission does not have that identified as the town center. The oak hill plan discussed the issue, but in the end did not designate that area and left it for discussion of another day. I've got to say that really gives me pause, because we just went through this long discussion about how the neighborhood planning process would remain intact and now we find an instance of where manual austin plan has basically supplanted that process --

>> the imagine austin plan does not definitively say what that center is. It's actually left for a later day as well in that discussion. The oak hill plan that we 30 on that night of 2007 last meeting, december, it was decided by council that the discussions needed to continue about what that intersection would look like in the future, and there was discussions about coming back, and there's been some meetings with the community since then, but they haven't really led to coming back and looking at the oak hill plan and bringing back -- so just a straight question. Does the imagine austin plan also leave that same area undesignated, the area that was left blank to -- to be a town center?

>> It does not designate a town center. It leaves it a center -- that density is not yet maybe defined. i don't know if that answers my question. My question is --

>> it's not -- it's not a town center in the recommendation from the commission. Anythi anythi ng to that area, did the imagine austin do anything to that area?

>> Yes, it designates it as a center but not specifically a town center or regional center. It designates it as a center but that does not specifically speak a side.

>> Mayor leffingwell: okay. Mary engel. Donating time is rick iverson. Wilfred kutu? Okay. Kolare deyoun? Neil goth? 15 Minutes if you really want it.

[Laughter]

>> don't worry. My name is mary engel and I'm here as the first vice president of anc tonight. The reason I'm here is because I have to speak out against this comprehensive plan. I do feel that imagine austin is like a raw potato, a big raw potato, and it needs a little more cooking. It can be fixed. It can be cooked, and the citizens of austin deserve a better plan. What's truly wrong with the plan? I can outline a litany of problems, and the first one, which is the most important, is about the growth concept map. It was not the product of the chip exercises, and it needs to be removed. The growth concept map was created by the staff, and we learned that from a meeting with a council member. Another concern about the growth concept map is how will it be used. Will it be treated like a future land use map? I believe that it will, and it will not be a suggestive tool as the broad vision that the plan actually describes. The role of the growth concept map is not clear and it's too specific to support the supposed broad vision of the plan. The second point is that the plan was not derived from the -- from the neighborhood plans. It was driven by the chip exercises. When members from the anc executive committee visited the mayor the other day, he did ask us a provocative question, which we've talked how would we feel if the neighborhood plans trumped the comprehensive plan? We would feel pretty good about that. But nowhere in the language of the text does it say that specifically. It needs to be said. The plan is already being used as a guide for projects before its adoption. That is not allowable. Before the city council even codified such a plan with an ordinance, it's been used and is being used to determine projects such as 51st street, airport boulevard, the affordable housing stakeholder group, was also instructed to use this plan as their guide, not to mention the bond review committee, which was also instructed to approve only projects that would coordinate with this comprehensive plan. How do we know what those are? It hasn't been approved yet. So what else is wrong with the plan and the process? Specifically, early on layers of data were not examined or collected as the foundation of the plan. The public outreach was inadequate. The planners did in-reach. The public was allowed to participate, and we participated, but we weren't allowed to give real input. Sometimes we had multiple choice exercises, and the computers weren't working for our ideas, so we could write our ideas and our input on sticky notes, and we know what happens to they fly away. The language about the neighborhood plans trumping plan should be added to the language, and here's something that i really regret saying. As much as I really value and thank all the people on the citizens advisory task force, I think that they have done us a disservice because they failed to produce a quality document with public input. They failed to wrestle away the control of this document from the staff. They never took control of the process. They have ultimately failed the public. And here are some suggested solutions to make the plan remove the growth concept map from the plan, first and foremost. Do more extensive public outreach. Go back and insert the missing layers of data. Get that potato cooking. Include the language from the planning commission concerning the compatibility standards and the rewrite of the land development code. Reflect greater detail in the language of the text, which includes opportunity -- economic opportunity for everyone in austin, including those people who wash dishes and do service jobs. Please fix the plan. There are not enough band-aids in existence that could improve this particular plan. And sometimes it says, well, we've spent so much money on this plan to date, we can't do that. We can't go back and fix this. And I want to say to you that just because we spent a lot of money, it doesn't mean that the city council and the citizens of austin need to have a flawed document. That wouldn't be prudent or responsible. We deserve a better plan. Thank you.

[Applause] mary arnold? Mary arnl evidently not here.

>> Mary? mary arnold. Donating time mary holder. I don't see mary. Peggy meseo. Peggy? All right. Got you. You have six minutes. Next will be zoila vega, on the other side.

>> Thank you very much, mayor leffingwell, and members of council. And to joann barts, thank you for bringing the wonderful red book, and i can show you the section in there that I drafted. Has to do with the environment. I'm glad to hear people speaking out about the problems of the imagine austin draft that you have today. According to the city charter you have -- I don't know what your deadline is, but when was it presented to you? When was the draft presented to you? You've got 60 days to either adopt it or send it back to the planning commission with recommendations. And that's what I hope you will do. Send it back to the planning commission with recommendations. I think it should be reviewed by several groups of geographic proportion so that neighbors who have been active with their neighborhood associations know the area, can get together, take a look at the plan as to how it relates to their area, see what they think. I also would direct your attention to the city charter provision. I'm interested that -- in the purpose and intent for comprehensive planning in our city charter. One of the things it says is that the city intends to prevent the overcrowding of land and avoid undue concentration or diffusion of population or land uses. And it seems to me that maybe we ought to remember what austin is in terms of planning, and what I've been saying is that we are not starting with what we have. We're not starting with the land. We're not starting with the history. We're, as someone has said, going off and trying to make this portland or whatever, but this is austin, and it's different from other cities because of its geographic and natural resources and configuration, and we do have some things that we can compare with other cities, but we need to make it all our own. And right now it seems that we're just busy making plans to tear things down rather than to preserve our historic structures and preserve our environment. Let's see what else I wanted to say. Dave sullivan was quoted in the newspaper as saying, you could sum up imagine austin in an explanation to a small child by saying that we want to pick out all of our good habits and our bad habits, then stop doing the bad habits and do more of the good habits. Well, I agree, except that we probably disagree about bits and good habits. And that's one of the things that we have not done adequately in terms of this basic data. What were our bad habits over the last 40 years? And to me one of the bad habits was approving mud's, and yet somehow they have crept back into imagine austin and I am terribly distressed, even the interim changes to the old austin tomorrow plan preserve the language about not approving independent water and wastewater districts. So I hope that that language will come out, because i don't think it was suggested to be in there by any of the 18,500 citizens. It was put in there by the city staff, and I think somebody said, well, all of the things that we've done for the last ten or so years are incorporated to imagine austin, and I think that's the problem. We need to go back and get down to our roots and take a look at where our money is going right now in terms of trying to put infrastructure downtown and pay for it without bonds that are approved by the voters, were you approve it -- I mean, find money for it through all of these special deals that are done behind closed doors and done without going through the regular processes, like the green water treatment plant and the seaholm developmen. I really hope that you will consider what we've said and give us a little bit more time to change the emphasis of the imagine austin draft. Right now the emphasis goes back to the council priorities adopted in 2007, rich social and cultural community, vibrant urban fabric, healthy, friendly safe cities, sustainable economic development and financial health. Well, I'm not sure about the financial health part right now, and I think we ought to define austin and not just this pie in the sky. Thank you. thank you.

[Applause]

[inaud

[inaudible] and michael

[inaudible] over here on this side. You have three minutes.

>> Mayor, can you please retreasure your screen? And I also have a presentation. tell me how to operate my machinery up here.

>> Well, that's why I was advised to tell you. you do have a donor, pam dickinson.

>> May I have my presentation, please? is pam here? Where is pam? You have three minutes.

>> Okay. So I wanted to -- I'm with the austin heritage tree foundation. I want to follow the words from mary. The imagine austin has successive growth. I think this was not the first slide, was it? Okay. What I see as I get off and I get called by several neighborhoods, so what I'm telling you what happens across austin. Maximum density not only in downtown but also expanding to arterials, high transit corridors and small neighborhood streets. So there's some big disconnect between high growth and preserving green spaces, creeks, heritage, streets, and not only do we want to preserve, we want it to end.

[Inaudible] by council member morrison that there's a conflict of values, and that's exactly what it is. When you saw the first presentation from staff, everything is about sustainability, green spaces, and somehow that gets translated into compact and connected. And compact means high density development everywhere. So how do we make up those lack of green spaces? By encroaching on floodplains, green belts and in creeks, and what will happen to the disconnect with riparian restoration improving water quality and now we're building trails and creek, removing creek banks to put trails and bury utilities. Why? Because people want to have these green spaces and there's building everywhere. The consequence of the construction is the vegetation and trees are removed and the trees cannot be replanted. What is the idea? The idea is to reduce sprawl with vertical density, but the reality is bad. The average monthly rate for a one bedroom is 750, but in downtown it's \$2,400. And at the same time there's subdivisions being built all over austin. So we request that you austin and please disregard my next comment. I was going to say if you approve it, compromise, but I think it's time to stop compromising. If anything at all do not approve the southwest

[inaudible] to mopac. Reduce the growth estimates or goals that are in imagine austin plan, respect the neighborhood plans and maintain the traditional character of the neighborhoods. One big problem is the flexibility of -- you need to have flexibility to the plan to have [inaudible] setbacks in mixed use development. Let me go to the slides. This is how we used to have preservation in austin. It was even in -- when you had apartments. Some developers use it, but many don't. This is in alpine street, which is in a small neighborhood. Okay. Thank you. thank you. Michael fossom.

[Applause] following michael will be dan hodes on this side. good evening, council, my name is michael fossom. I'm on the homeowners association for battle springs neighborhood association. I'm opposed to the imagine austin plan as written. The plan proposes excessive growth not only downtown but in the arterials and high traffic corridors. This high growth will infiltrate into the neighborhoods and change the fundamental character of austin. I feel that it is very important that the neighborhoods continue to have a strong voice this any plans or changes, both in and around their neighborhoods. The different character of the individual neighborhoods in austin is a large part of what makes this a unique and wonderful place to live. Imagine austin plan calls for green, livable spaces. I want to point out a conflict between this goal and the urban design guidelines. On page 70 of the guidelines it requires that buildings be built to the street unless it is desired to have a 12 to 18-foot wide sidewalk. On many of the arterials where dense development is planned there are heritage trees that will have to be removed if this guideline is followed. I ask that the council modify this requirement so that heritage trees could be preserved in a similar 12 by 18-foot wide space as the sidewalk exemption allows. This will help preserve the character of our neighborhoods. Thank you very much. thank you.

[Applause] dan hodes. Following dan will be bruce velton over on this side.

>> Good evening mayor and council members, and thank you for your service to our community. I am the president for regents bank here in austin, san antonio and also the 2012 chair of the austin chamber of commerce transportation committee. I joined that committee simply because the traffic congestion trying to get around town and that's why I've stayed up late tonight. As the largest chamber of commerce in texas we represent over 2,400 businesses in our five-county region. Each year traffic and public transportation are identified by regional business executives as top weaknesses to future growth and expansion. Research done by the austin chamber has identified four employment hubs, the urban core, northwest austin, round rock and san marcos, which account for almost half of the jobs in our five-county region. Each of these maps depict an employment hub and zip codes where more than 500 employees work who -- live who work in that employment hub. As these maps visualize, our traffic is a regional challenge. People throughout central texas are dependent on a regional transportation system to get them to and from their jobs every day. Employers are dependent upon the transportation system to provide them with their workforce and move their goods and services. Thousands of employees who work for austin companies live outside the city limits.

[One moment, please, for ]

>> and transportation agencies in central texas. That's why the austin chamber of commerce is disappointed, sad, bothered that the city of austin would unilaterally remove it from the imagine austin as it has done with south -- state highway 45 southwest. We think it's a mistake. We ask you to take another look at it. And we think it's an important link to improve the mobility in our community. The austin chamber wholeheartedly supports the collusion of state highway 45 in the imagine austin plan. We stand with hundreds of companies, organizations and citizens who repeatedly ask that this regional significant project be built. This is about addressing an issue we face today, not tomorrow. Thanks for hearing me. Goodnight.

>> Mayor Leffingwell: Thank you. Is tomly anderson here? Don't see tommy, so you have three minutes.

>> will McCloud will be next on this side.

>> Brute melton. I'm bruce melton, a civil engineer. Jury researche -- environmental researcher and I represent the austin region sierra club. I've got a few words of praise. And those words are bravo, about time. Thank you for doing this. We need a plan. I've got a few concerns, though, and they are about water quality, mostly. Sh45 has no place in this plan. I hope you don't put it back in. Recent discoveries about the way our aquifer functions show us that we still have a lot to learn about the edwards aquifer. Adding more development in that area is a risk. To what we call home here in austin. Do we want to take that risk, enbefore we fully understand -- especially before we fully understand how this new science, the senior staff geologist with the city, his dissertation for his doctoral thesis. Shows that recharge over the -- recharge zone happens 30 times greater than we understood it to happen before. And we don't know what this means for the aquifer but we know it's a pretty big number. And it's likely it needs to be looked at more thoroughly. So what are we going to do without sh45? There's lots of alternatives. Oak hill, we're installing a continuous flow intersection. It's supposed to reduce congestion at 290 and william canyon by 40% at a cost, about 2% of the 12-lane proposal that TxDOT HAD FOR OAK HILL. What else can we do? There's a number of things we can do on brodie to add capacity to brodie. Without hardly doing anything to the road. We can add protective left turns which create significant decreases in congestion. There's improvements going on to 1626 north and south. There's lord improvements going on to man check. AS IT FEEDS INTO 16th 26. And the big one, the new oak flyover from ih35 on to ben white, that's about seven to nine minutes shorter than the brodie route is today. Thank you for your time.

>> Mayor Leffingwell: Will McCLOUD.

[Applause] clark davis. Mark davis. Following mark will be frank heron. You've got three minutes.

>> Ok. I think I'll be echoing similar sentiments and I'll try and respect your time and do it quickly. I'm mark davis as and as the president of the south river city citizens' neighborhood association I wanted to say a few words on behalf of our residents. You've received a letter from us asking you to retain the language added to the comprehensive plan by the planning commission to ensure existing neighborhoods and area plans were recognized and respected when considering a rewrite of the city code. I think you're hearing that consistently tonight. I believe this is a common request we're hearing tonight, but with i35 to the east and ben white to the south and the newly staffed transportation and activity corridors of riverside and south congress on the north and west, we're concern that had our neighborhood is in jeopardy of losing the aspects that attracted residents in the first place. As I said to the planning commission when they were reviewing the plan, I feel confident that everyone here agrees that austin's neighborhoods are what make the city so wonderful. The restaurants and retail they draw people to visit austin but it's the neighborhoods that make them stay. I don't think anyone wants an austin that's allowed increased density to impact our neighborhoods that our residents have to retreat to find a life they can especially joy. We have to respect the neighborhoods and we

understand the main part of the comprehensive plan it so promote densities and with that, there will be changes to the city code to allow for this. What concerns us is the interpretation and misinterpretation of the code is at the heart of every issue we there are developers with massive funding and a directive to maximize profits and on the other side, a rag tag coalition of concerned neighbors. We've watched the existing ordinances and compatibility fail to protect us from towering development and flood risks from infill and debilitating parking and it's essential that every change of the code be thoroughly analyzed. One small change can have unintended but devastating changes on the very thing that makes austin a great place to live. The vision can be achieved. We urge you to retain the planning commission language in 001 -- of the comprehensive plan.

>> Mayor Leffingwell: Frank heron and donating time is marcy owen. Ok, kevin anaguchi. Ok. Dewey brooks.

>> I think he had to leave, mr. Mayor.

>> Mayor Leffingwell: We have

[inaudible]

>> good evening, mayor, mayor pro tem, council. I'm here tonight on behalf of the congress for new urbanism. For the new urbanism. Here to express our support for the comprehensive plan in its current form in large measure because the plan uses the concept of compact and connected as a primary means for making austin the best city it can be. The idea of compact and connected is crucial to the basic principles of the plan and essential to the eight action program that the plan uses to implement those core principles. I've distributed a summary of the benefits of compact and connected in the folders that i think all of you have and I'm going to address the sustainability benefits but before I i do I want to direct your attention to the folders. Jonathan was going to present the section on affordability benefits. Some of you have met him, he's out of town getting married to his sweetheart of 10 years and despite my efforts to get him to straighten out his priorities and reschedule his wedding, he's he's not here tonight. So you have his written text and 12-slide power point presentation that coordinates with the text. I would respectfully ask you to spend a couple of minutes going through the presentation as affordability is one of the primary seemingly intractable issues we continue to deal with and we believe it's very clear stilly's presentation that the concept of compact and connected development will make that problem somewhat less intractable. He -- intractable. He deals with the cost of housing as well as the impact of transportation effects and the impact of the infrastructure that will be required in compact and connected develop versus continued sprawl development. Now, as for sustainability. Sustainability was designated by this council from the very beginning as the central policy direction of the entire plan. As referenced on page 7 of the plan document. The plan clearly concludes after this two and a half year process, that growing as a compact and connected city is the number one core principle we need to follow to implement sustainability. Compact and connected with the heart and soul of this plan. No one should have any doubt at this point that compact and connected with is what the public wants and what the public believes is the basis for sustainability going forward. In the beginning of this process when the public was asked on an unfiltered basis, what do you want for austin, compact dense development was

among the top three response categories. Months later when the scenario maps had been created and put out to the public in a series of eight open houses that were held throughout the city, the public overwhelmingly voted for the most compact of the five scenarios. Then more than a year later, when the public was asked in a separate exercise to rank the plan's eight priority programs, the one they voted for above all the others was invest in a compact and connected austin. The public clearly wants us to be far more compact and connected. Referring to the specific sustainability benefits of that concept that are in the summary you have in your folders, first, by significantly reducing the by day by automobile, we reduce pollution and conserve energy, reducing our carbon footprint and making real strides in actually becoming a greener city. Secondly, compact and connected provides huge gains in water conservation and energy conservation a conservation and you have in your folders a chart comparing high rise residential with typical suburban and large lot development. I know high rise residential is at the extreme of the range but I think it's illustrative of the size of the benefits we would achieve in terms of water and energy conservation and in terms of the efficiency of our tax base. Thirdly, more compact less sprawling development increases preservation of natural habitat and open space in appropriate areas for preservation of the aquifer and land preservation generally and if you look at the chart there's also a comparison of the amount of land that we chew up for each living unit we construct in this city and it's an impressive significant difference. We respectfully ask you to unanimously adopt this plan. Because it is the considered judgment of the public and the considered judgment of the vast majority of the other participants that this is what austin wants and needs. The plan, including the map, was debated, vetted, compared to and coordinated with every other plan ever adopted in this city. Everybody had a chance to attend every one of those 200-plus meetings and I think a lot of what you're hearing tonight is from people who didn't get everything they wanted. We didn't get everything we wanted but we're here to support the final product as a product of what your public and taskforce and planning commission recommended to you. One of the primary reasons we've evolved from the scenario maps to the map -- was -- to the map we have tonight was from the concerns of those who asked you to delete it. The scenario maps chosen by the public were far denser and far more conceptual. It's about being creating the best urban neighborhoods, sustainable, healthy, environmentally sensitive and interesting and accessible and we believe this plan gives us the best chance for that. We all live in neighborhoods want to be able to afford our homes and want a safe and interesting city and one we can be proud of in terms of social justice, opportunity, and caring for our fellow citizens. We believe imagine austin addresses all of these common concerns. If we'll all keep in mind we're in this together, and continue to talk with one another as informed adults and as friends, then we'll get to where we need to be. We've been doing that and -- and I have had very, very cordial conversations and -- conversations and lunches and alamon I thinkel and we continue. We've got a long way to go and this is not the end of the process. The effort to come up with the implementation this plan will continue and should continue tonight with the adoption of imagine austin. Thanks to each of you for being accessible and listening and putting up with all of us during this process. We look forward to the adoption of the plan and continuing to work with each of you and with all of the concerned citizens' groups as we move into the implementation phase with a clear and common goal of making this the best, most sustainable, most livable community that we can be. Thank you.

[Applause]

>> Mayor Leffingwell: Daniel deaner. You're next. Following daniel is jan triplet. Is jan here? You'll be on this side. Three minutes. , my name --

>> Mayor Leffingwell: You want to stand over there, you can.

>> You got to tell me to go. I'm daniel deaner, a board member of the allandale neighborhood association though I'm speaking for myself tonight. I've been a resident of austin for 36 years. Originally from up north. So I have a double perspective here. As I was reading through the comprehensive plan, imagine austin, one of the things that really struck me was that I have a real disagreement with one of the basic concepts and that's the 750,000 new people coming here in the next 20 years. Several places in the document, it mentions portland, oregon, wasn't that the place that advertised for years, come visit us, but don't move here? We don't necessarily have to deal with this growth. And related to that is nowhere in the plan that I saw does it deal with exactly how we're going to supply water to these 750,000 people. I mean, it's one of the fundamental things of the plan --

[applause] -- they're coming but we can barely. We can't water our own lawns all summer long now. I originally grew up in a city up north, where the idea of compact plan came from in the 1800s AND I WALKED DOWN ONE OF The streets there and you'd see a butcher shop and on top, three or four apartments and walk half a block away, a bakery and three or four apartments. I go down burnet road and there's a strip center and with apartments on top and a parking lot in the back. That's not the compact growth I'd like to see. That's just stacking people up.

[Applause] finally, the -- the -- a couple -- last month, I hired someone to help me with a project. Design a project and the first thing they sat down and said tell me everything you want in the project and then went off and they designed this thing and brought back this design. And it was over designed because they were trying to give me everything -- I said everything I wanted, they tried to incorporate it. I can't use it because it's over designed and it's three times my budget. That's the feeling I got as i was reading imagine austin. It seems anything that anybody would want out of the city of austin is in this thing as a goal. The devil is in the details. It's in what are we going to give up of this to get that? And my -- I guess the -- as being a member of the allandale neighborhood association, I'm certainly for the neighborhood plans being given preference over -- over the imagine austin plan. Thank you.

>> Mayor Leffingwell: Dan triplet is next. And -- jan triplet is next. Lynn marshal? Not here. Lynn is here. mayor, mayor pro tem, I'm jan triplet. The ceo and wife -- I'm ceo of the business success center and the wife of dan deaner. We live and work in allandale and we celebrate 30 years this year of growing small businesses. I've appeared before you before and worked with the mayor pro tem on the big box ordinance and I appreciated your help so much because one of the things you recognize is the problem that those of us who are -- what is designated in the imagine austin plan as small business, we have an issue. And that's that we are not like the -- we're not the business we are, these very small businesses that really are the ones that are the job generators from the beginning. We're the training centers and the people who hire people who cannot be employed and my concern with imagine austin is two-fold. I've been on a taskforce for a previous mayor on international infrastructure. I really appreciate all of the hard work that was done for this. I made a small contribution taking some of those online questions, which one do

you vote for? But I want to say I'm concerned what we're putting together here is something that may be compact and connected, but also cut off. And I say cut off because one of the things that happens when you have the kinds of corridors you put in, no matter how you arrange them, you cut off one neighborhood from the other and what small business owners need who are really creating the jobs within those neighborhood associations which I think would agree with me, we want to encourage local businesses to hire locally within the organization so we don't have more cars on the road and the traffic problems we do. And if we're not careful about how corridors work, we'll have the kind of corridor cutoffs we have with i35. We use -- we believed we could make it work, but we couldn't get people to manage to go past the cutoff of that corridor. Every time you put in a growth corridor you put in a potential for a cutoff to really slow down the ability for small business owners to exist and grow and that impact, the number of small businesses that are able to hire. So I encourage you to do two look at corridors and also go back and fully define what you really mean or what the commission means by small business. The -- that's a very big issue because in the sba, small business administration, it's anything from zero to 499 employees. That's not what austin is made of and it's not what has made us great. Thank you very much.

>> Mayor Leffingwell: Following Lynn is Tom Forest.

>> Hi!, I'm Lynn Marshal. I have three points to make. One is my participation in the exercise was hijacked. Which is extensive. The citizens' advisory taskforce did not do its job, and when going down the wrong road, don't -- road, don't keep thriving, turn around. We've been involved in this for two and a half years and made little headway other than a bit of language tweaking to get some serious issues in. I participated in exercises and brought up problems that Austin has to contend with in the future. I was told that was not acceptable. At one point, staff and volunteers gathered around me and said don't keep scaring people. Drink your kool-aid. No serious talk, lots of double talk. I'm disappointed by the performance of the taskforce. The group split into factions and never reintegrated to get the job done. One called for assembling layer and identifying things that are significant to Austin's DNA in regard to people, history, built environment, natural environment, water, hydrology, soil, water, food production and identify places appropriate for development and places to be protected. The other seemed to be pressing to pass it through with lull by language with wonderful things to come and a highly conceptual growth concept map sometimes said to be specific and sometimes said to be conceptual. They say pass it now and fix it later. As to the growth concept map, Dean Steiner said at a regional planning forum, our committee couldn't even agree on a map. It was bad and produced by graduates of our program. He also said I think the plan is pretty good, Austin tomorrow was a -- an A grade plan. This is a B. It's a pretty good plan. Well, he's the dean of the architecture school. He knows how to grade. Is grade B what Austin deserves and for the next 30 years? The psychology of previous investment would say we've put lots of time and money into the plan so we have to pass it now. Somebody can fix it later. Well, if you're driving down the wrong road, you don't say, I've got to keep on going because I've already used up gas and time. If your daughter realizes she's about to marry the wrong person. You don't tell her to walk and the aisle and eat the cake and fix it later. We need to stop the car and turn around and we need to return the wedding presents and send the guests home. We need to do the plan right and start out with a grade A plan, not a grade B plan. Thank you for your time.

[Applause]

>> Mayor Leffingwell: Thank you. Following tom will be pat smith from the other side.

>> Good evening, I'm tom forest. My wife and I live at 1207 east second street. In austin. I want to thank you for staying with us this evening. Trying to get through this. Full disclosure. I've been in this process since the beginning, I've followed it throughout the planning and zoning. I wasn't as involved as I could have been but comprehensive planning is important, I think, and these are not technical comments, more personal. I'm going to read them because i read faster. My wife ape love the quality of life in our near-east austin neighborhood. It contains the diverse, walkable, mixed uses that one would find and numerous housing options, many from infill, workplaces and shops and entertainment and schools and parks and civic facilities. All of the things essential to the daily lives and all within easy walking distance. We can find people riding bikes and walking to work for fun or exercise, kids playing in parks and in front yards and live music and lively art, good food and high spirits. With the great dividing wall that is our 35 -- i35, we have to work harder to feel connected to the great things that austin has to offer but we know you're working on those things and the community and working to improve access, the connectivity and working on improving i35 and creating pedestrian-friendly paths along waller creek and adding useable sidewalks on the east side and improving and adding to our bus-rail options and know a comprehensive plan will help this. We love our neighborhood because it is austin and we know it is that connection that makes our great neighborhood possible. That's why I'm here this evening in support of the city of austin's comprehensive plan imagine austin and a more compact and connected city. A more compact and connected city, encourages walking and bicycling and healthy outdoor physical activity and increases opportunity for human interaction and reduces the social and cultural fragmentation created by sprawl. More compacted and connected city allows more citizens to share in a common identity and common experience and results in a higher quality and interesting and inspiring built environment, promoting a sense of belonging and shared pride in our community. Our east austin neighborhood is not as compact or connected as it could be, but we're getting there. We know that comprehensive planning will help us and we know we cannot improve as a neighborhood if we continue to balkanize our city.

>> Thank you, tom.

>> Thanks.

>> Mayor Leffingwell: Pat smith.

[Applause] no pat smith. Ira yates. You're for, you have three minutes. Following ira, will be carol on the other side.

>> Thank you, mayor. My name is ira yates and the collective wisdom in this room makes me want to say so many different things but I'll stay to my prepared script. 30 Years ago I had the opportunity to work with three marvelous people on various projects. David grayer, edwinler senior kent butler were visionaries. David, an internationally recognized architecture architect. Lived on east sixth far before it was fashionable to live or work downtown. Worked for social justice. Kent butler taught classes at the university of texas and required sound science before

advocating for any particular water quality ordinance. I believe the imagine austin plan as presented to you tonight and in its entirety without additions would have been endorsed by each of them. David believed in a compact and cultural and diverse city. Ed championed causes for the underprivileged and economically challenged within a sustainable and affordable community and kent believed in land planning that encouraged conservation of our water resources.

>> The plan before you tonight represents all of these things. A plan that has dotted lines for roads, inserted moments prior to approval, is not a plan created with a true vision. It would represent indecision, and a certain lack of respect for those that spent so much time crafting it after listening to all the citizens of austin. It has been a true honor to serve the city once again, 30 years later. David, ed and kent are no longer with us, but their community spirit is in this room. I miss them. And what they represented. In conclusion, any thursday, any time in the future, this city council or any city council can render any part of this plan inconsequential. By a simple vote. Tonight it would be very nice to know that the city council unanimously honored the work of its appointed committee. And planning commission. By passing the imagine austin plan. As it's been presented to you without any rogue additions. Thank you.

[Applause]

>> Mayor Leffingwell: You have six minutes.

>> Thank you. Jill, as you know, I've served on the citizens advisory taskforce for the last two-plus years and spent more than 500 hours in meetings in conjunction with that and several hundred hours working off line on the plan. I -- no one was more enthusiastic than I was at the beginning of the process. But I was frustrated and disillusioned and disappointed by the process and if you want to hear me talk about that, I'll talk to you about that on another occasion. The plan as sent to you by the planning commission is an improvement over that -- the draft forwarded to them by the taskforce. But it isn't a great plan. It certainly isn't a plan that i envisioned we would end up with when I started this process. It's not the -- it's not as good of a plan I worked on in other areas of the country. But whether or not it's an adequate plan is before you guys tonight and that's your decision. I'm not going to try and influence that decision. Should you decide to adopt the plan, I have two questions i want to make -- requests I want to make. First, council honor all the efforts put in by the planning commission and taskforce and support the planning commission recommendation including leaving sh45 southwest connection off the growth concept map. The recommendation was not taken lightly. A great deal of time and effort and thought and consideration and input went into making those recommendations and I ask you to honor the planning commission's recommendations to -- to do so. The second request I make is that the council not allow staff to rewrite the land development code without adult supervision.

[Laughter] I'm asking the council establish a citizen oversight commission or committee to oversee the rewrite and protect the public's interest. Rewriting the land development code was the -- the staff, not the public. There were occasions for citizens to prioritize their concerns and never in one of those lists in the top to have any list I've seen was concerned with rewriting the land development code. But in spite of the fact that the taskforce questioned whether it was a priority, we could do nothing to get it off the list. When citizens were asked to rank those privateers, it came in dead last because it wasn't their priority. The land development code is a

social contract between the city council and the citizens who elected you to represent them. It's crucial it not being become a tool. The devil is in the details and those details need to be overseen by the public. And I want to especially press apologies to those citizens -- express my apologies that think the taskforce let them down. I prettied blood and it was not a happy time. I was one of the three people who had the encourage not to endorse the plan when it went before the planning commission. Not because -- because it really wasn't ready for prime time. It's up to this council to decide whether or not it's ready for prime time now. Thank you.

[Applause]

>> Mayor Leffingwell: Laura presley. Donating time is tom anderson. Is tom here? Not here. You have three minutes and next will be gavino fernandez. You have three minutes.

>> Ok. Thank you, mayor, mayor pro tem, councilmembers. Imagine austin comprehensive plan has a lot of different components. This plan will define and codify even more development, and growth for austin. The results will be increased stress on our resources and infrastructure. And this is what the growth concept map will drive. As a preview to the future, i want to focus on issues related to the lack of infrastructure we have today. With the increases we've seen over the last eight years. Traffic is a disaster and water resources are limited and dwindling. We have unsustainable growth and that's what we have right now. When our tax dollars are used to subsidize and waive buildings fees to improve profits for developers. Development needs to pay for itself and people of austin need to stop baring -- bearing it and these get folded into our taxes and someone has to pay for these waivers and it's us. The comprehensive plan allows the tsunami we're seeing to further enable developers to mine austin for money on the backs of austinits and the comprehensive plan needs to emphasize and state that neighborhood plans trump. Many have spoken about that as hey priority. If it's I -- in there, let's reendorse it. Traffic solutions for increased denseification. Water resources muck provided and impact study -- must be provided and impact studies done for alternate sources of water and I support removing the growth concept map. This is what is driving the concerns for development and denseification issues. We need good city government that chooses or divorce cultures and affordability over and above the profits of developers. Thank you.

[Applause] gavino fernandez. Over here.

>> Jose contrara. I've been through this process, we were the first neighborhood, I would say in the neighborhood nation to go through this agenda, called smart growth. Agenda 21. It started in l.a. 21 because this comes from the united nations agenda 21. found out what was going to happen and citizens were going to be a worse and called it smart growth and the city of austin decided to implement this in our neighborhood. David sullivan go back many years when we as a neighborhood fought zoning adopted by the 1928 dallas plan under the negro plan to displace minorities east of i-35. And I went -- you probably hired the same -- I wouldn't doubt that you all hired the same dallas firm again and I believe that your councilmembers -- to 21. Nobody let us know that all the way to chican, now is central downtown when the barrier is i-35. Your predecessors go back to herb watson. We had a petition we did not want the neighborhood plan and if you notice and you ought to go to east austin. You all keep saying this is what we'll do, work with the neighborhoods. The only neighborhood you work for is the neighborhood plan, the

cesar chavez neighborhood plan. The name cesar chavez was disrespected by using that name. It should have been called agenda 21 master plan. It's just another initiative to displace minorities. And if you notice, I wouldn't doubt you get subsidies through the houses built there and that plan destroyed a neighborhood. That plan was initiated just to -- initiated just to raise taxes and houses worth only \$13,000, \$15,000. The gentleman who lives on second street, I don't know what he's been smoking but there's something wrong with that.

>> None of the people in the committee, or hispanic people, it's dictated by the city staff and that's why greg guernsey is asking for additional staff because you have so much restrictions now in property. That we were grandfathered clause in a lot of these homes and then all of a sudden, neighborhood people from the cesar chavez neighborhood plan, we're in violation, the properties that built garages a long time, they were in violation just to put pressure. Thank you.

>> Housing works austin would like to support our support for the imagine comprehensive plan. The idea of complete communities and housing affordability which encompasses housing and transportation. The complete community reflects the belief that all residents should have proximate access to jobs and high quality service, schools and healthcare, libraries and parks and recreation. Complete communities will help to sustainably meet the housing needs of afterall austinites and establishes achievable sherman long-term goals with respect to housing affordability. By utilizing median rent by zip code, the city will be able to identify gaps across austin and be able to create goals for new affordable housing production and preservation and increasing geographic dispersion of affordability. We're committed to the belief that all parts of housing in all parts of town makes a more vibrant community. This commitment will help to ensure austin remains economically sound and socially diverse into the future and for these reason, housing works austin strongly supports the imagine austin comprehensive plan, thank you very much.

[Applause]

>> good evening, my name is sarah, I'm speaking tonight on behalf of the save [inaudible] creek association and for myself as an austinite that's lived here for 30-something years and looking forward to another 30. We've been working for decades to preserve and protect barton creek and the watersheds. So these natural assets are available to be enjoyed by future generations. We've engaged in the process of the imagine austin plan and offer comments. First, we recognize and appreciate the careful work done to distinguish the density centers located on the aquifer where development and pollution will affect the aquifer from other parts of town where these issues aren't a concern. We encourage this distinction to be maintained as the plan develops. If the plan is to be adopted tonight, it's critical that the adoption exclude the proposed 45 southwest highway. Our opposition to 45 southwest is based on the environmental consequences it would bring to the fragile barton watershed where it would be located. Adding a road would be interpreted as accepting and agreeing to the environmental damages that the basis for its exclusion by the planning commission. The staff recommendation to add this highway into the plan doesn't offer any environmental assessment or information how the city could endorse the environmental consequences of this proposed highway within this plan. The barton creek association members asked me to thank the members of the taskforce for all of their hard work and dedication to this process and also the planning commission for their work. And our position

is that if you do adopt the plan tonight, please include the planning commission recommendations and please exclude any reference to 45 southwest. Thank you very much.

[Applause]

>> Mayor Leffingwell: Mark jones. And following mark, will be michael olic. Three minutes.

>> Thank you, mayor, mayor pro tem and councilmembers. I'm mark jones, county commissioner, northern heights area. I think one of the speakers earlier referred to us as hooterville. But as a former school board member and current county commissioner I want to be respectful of your time. It's been a long night. So I'll stay brief. I met with each of you earlier with the exception of councilmember tovo and you gave me the opportunity to express the county's position and answer questions you have. I'll stay brief and on script. As you consider the plan, i request you take into account the severe traffic congestion in southern travis county, northern hays. Brodie lane and slaughter lane. I want to -- on behalf of hays county, I want to apologize to brodie lane for what we do to you every morning and afternoon. They travel to work and shop in austin on those roads in order to reach loop 1. A \$70 million expansion of 26 in anticipation of 45 connection to loop 1 being built in order to alleviate the existing congestion.

>> The improvements on 1626 will not improve brodie, they'll just compound the congestion that's there already. The hays county commission court, not oppose the future of a 45 connection and conducting studies on the proposed sh45 southwest. We support between 1626 and loop 1 that's a non-stop between 1626 and loop 1 with appropriate development restrictions and state-of-the-art protection. We want to partner with austin and leave resolutions from the hays county commissioners in support of 45 and from supporters in our areas and also seton hospital. Thank you for your time.

>> Mayor Leffingwell: Is bruce burton here? You have three minutes.

>> How much time do I have?

>> Mayor Leffingwell: Three minutes.

>> I thought I would have time donated.

>> Mayor Leffingwell: I called two names that were going to donate time and they aren't here.

>> I'm jason, a member of the

[inaudible] neighborhood association, president. I sit on the zoning and planning commission and I'm a resident. Thank you for writing the plan. Amazing effort that's been put into it. But I think it's not ready. I don't know how you're going to vote. But I hope what I have to share with you will affect your decision, not only tonight but in the future as we look to rewriting the development code. It's come to my attention there's a city in north america that's dense and expecting to add a million more people in the next 20 years, it's not seattle or portland. It's focused on contextual zoning. Why? Because they want to build a world-class city and to do that,

they see the need to alleviate fights between neighborhoods and developers when they can do it. Stay with me. Where is this city? New York City! New York City! That's right. If and when this plan moves forward, I ask you when you -- when we start the revision of the land development code, we look what they're doing in New York City. In a city that has no inch to waste. Mayor Bloomberg assigned a person to head planning, with a concentration on conceptual -- allow growth and restrict height of new buildings, require setbacks, encourage green space and spur efficient green building.

>> The result is buildings that are consistent and development in context with the existing character of their neighborhoods. Contextual zoning. In New York City, they recognize they don't have to build great neighborhoods, they have them and don't want to lose them. In May, in the "The New York Times," she was quoted of New York is a stiff of neighborhoods and ensuring in the next 15-20 years that the identity of these neighborhoods will remain in tact can the map focuses on density and growth. This map is being used and we look at this map when making decisions and maybe cover in the areas where we're going to have density and conceptual -- and not make the assumption we need to do this because high density is going to be everywhere. That's part of the assumption. New York City can't spare a square inch and surely we can learn from their example and we can be a model city and not just imagine it, let's do this. Show the slide, please. Our plan calls for context. There it is. I think that's page 119. Guidelines should be context sensitive. May I finish the point.

>> Mayor Leffingwell: Briefly.

>> Thank you, we need to do this and how we can do this context is by finishing the neighborhood planning process. We started in 1977, spent 10-plus million dollars to do it. Since 1977 -- sorry, 1997. We need to finish it. It's the horse before the cart. You get to keep your word by not --

>> Mayor Leffingwell: Ok.

>> [Inaudible]

>> Mayor Leffingwell: Greg Naser.

[Applause]

>> I believe I did that in three minutes of thank you.

>> Mayor Leffingwell: Not here, so you have three minutes of after Craig will be Rick Morgan.

>> Hello, Austin City Council. I'm an [inaudible] I oppose Austin Comprehensive Plan as long as it supports the building of Highway 45 Southwest. Here's a quote, every generation takes the natural environment it encounters during childhood as a norm it measures environmental decline later in life. Environmental degradation increases, but each generation takes a degraded condition as the new normal. Scientists call this as a shifting baseline or intergenerational amnesia and the ecological and social relevancy of declining and disappearing species. In the book, "Twilight of

the mammoth," the early human migration to america over 12,000 years ago caused the extinction of large mammals. They included mastodons, and giant armadillos and horses and camels and extinct species of bison, a tooth of which I happen to have in my pocket. Also missing are lions and giant short-faced bears and the dire wolfe which is twice the size of a gray wolfe. Believed to have -- wolf now believed to be driven to extinction by man. We're missing parakeets and horned toads. So I'm here asking you not to build highway 45 southwest to save inch-long salamanders and small birds each of which weighs less than the weight of this tooth. Why? Because that's all that's left. I'm an environmentalist, not an extremist. The stretchists would destroy wild places for convenience and -- extremists would destroy wild places for profit. And ignore the desperate state of world ecosystems in the decisions they make. With undiagnosed intergenerational amnesia. They would attempt to compromise the laws of physics and insist a biological compromise based on shifted baseline is anything other than a continued lunch toward a hot, desperate and lonely future. I would also point out once a body of water is polluted, i have never in my entire life ever seen it cleaned up to the way it once was. I asked that state highway 45 southwest not be built because austin will lose what makes it austin.

>> Mayor Leffingwell: Thank you.

[Applause]

>> Mayor Leffingwell: Is bill bunch here? You have three minutes.

>> Thank you, mayor. Good evening council, appreciate your time and having us here to in planning from texas state and involved in the process from the beginning. Beginning in the fall 2009, i heard about the comp plan kicking off and really excited and attended every working group meeting and collected surveys door to door and talked to coworkers and really been involved in many ways. Long story short, there was a ton of feedback, a lot of people, however, agree for the most part with the plan. I have a lot of issues that i could address, but the point being we've got to start somewhere. That's why there's a review process. A comprehensive update every five years. And the certainties of the neighborhoods are valid. They're worried about their hard work overwritten and trumped, but in reality, they're the stakeholderrers, they'll come to the -- the stakeholders, and we'll work together and come up with solutions but the point being we're running out of time. We don't have a whole lot of -- I mean, our nation is leading the world per capita in greenhouse gas emission, texas is leading the nation. We don't have time to sit around and talk about whether to build sh45. If we procrastinate, we'll be tearing up the forest -- not we, but multinational corporations to shift tar sands down here as to so we can power or cars to get across 45 and all the other roads. The cost of oil is going up and water resources are not going to be -- odds are not going to have excess water, we need to take drastic action. Let's pass the plan. Work together and weep we'll improve upon it, it's definitely fallible, there's room for improvement, but we've got to start somewhere. Let's adopt the plan and take u talk about ways to make this better and start to think about our future. I don't want my sons and daughters drafted in a war with iran, because we don't have enough power to -- to power our cars. Radical, but we need to have a different conversation. We really need to focus on drastic ways to get back to the way we developed before the automobile came to dominate everything.

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>> the staff's recommendation to reinsert some language, et cetera, is not adopted and as long as the planning commission's recommendations to leave the nodes over the barton springs edwards aquifer watershed, somewhat undefined and termed activity centers rather than attack the density numbers and job numbers that go with the other labels of neighborhood and town center. So those numbers are so huge and not in line with what people most commonly think of as neighborhood and town centers. I'd like to spend just a minute on that point and then say also a few words about concerns we have about shortcomings of the plan. The nodes, the environmental community generally has long supported having neighborhood services concentrated at obvious nodal sites to provide the services that neighborhoods need. So we've decided it's much better to not have these people driving long distances to have those services, and we think that's largely in agreement with what the neighborhoods have said, in particular in oak hill. But the term "town center" got hijacked and defined subsequently in this process when it was used much more loosely and undefined during the neighborhood planning process. And that's part of the discrepancy that we were discussing earlier. So the town center numbers are really huge growth increases that are not appropriate for the watershed and would reverse essentially 20 years, 30 years of official city policy to minimize development of the barton springs watershed. We share a lot of the concerns that you've heard tonight about the shortcomings of the plan. Fundamental data should have been gathered at the outset that wasn't to guide the plan and have it be connected to the real world that we live in here today. The mandates of the charter that require elements like water planning were essentially ignored. There's not a water component in this plan.

[Applause] and in that sense -- in that sense it's not a comprehensive plan. It basically is calling for us to have a comprehensive plan, but because these fundamental elements that are dictated in the charter were ignored in favor of a plan that's basically a land use and to some degree transportation plan were left, we're not there yet and we do share the concerns that the staff -- every due influence of staffing consultants at the expensive input from the citizens advisory task force and the planning commission, and because of that we feel like it's especially important that you honor overwhelming recommendations to keep 45 out of the plan and to redefine these nodes as activity centers over the aquifer. I want to address the arguments you heard a little bit earlier today from the chamber representative saying that 45 southwest was an important regional link or a regionally significant project. It is not. If it had been, it would have been built years ago. The txdot transportation modeling that many of you are aware of shows very clearly that this road will not reduce congestion as was the stated concern, will increase congestion substantially on an already overwhelmed mopac. Txdot [inaudible] will add 30,000 car trips per day to south mopac, if you build this road, diverting traffic on to the aquifer rather than keeping it off, or if you build it as a toll road it would increase traffic on south mopac an estimated over 10,000 cars a day. We have much better and cheaper solutions. We're not going to neglect hays county by not building this road. We're committed. The city is already on record and committed to improving ih-35 and as melton noted earlier, there's much cheaper improvements that are readily at hand for improvements on brodie, expansions that are under way to 1626 and manchaca, and long-term the real answer, if folks need to live in far-flung areas and get into a town, the regional rail is the solution, and that's the regional solution that we should be committed to. What is regionally significant is the barton springs edwards aquifer, which the states recognize is more vulnerable to pollution than any aquifer in texas, which provides the sole source of drinking water for about 50,000 people and which supports

A in greenhouse gas emission, texas leading the nation.

We don't have time to sit around and talk about whether to build sh45.

If we procrastinate, we'll be tearing up the forest -- not we, but multinational corporations to shift tar sands down here as to so we can power our cars to get across 45 and all the other roads.

The cost of oil is going up and water resources are not going to be -- odds are not going to have excess water, we need to take drastic action.

Let's pass the plan.

Work together and weep we'll improve upon it, it's definitely fallible, there's room for improvement, but we've got to start somewhere.

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Radical, but we need to have a different conversation.

We really need to focus on drastic ways to get back to the way we developed before the automobile came to dominate everything.

[One moment, please, for change in captioners]

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But the term "town center"

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[00:06:00]

or a regionally significant project.

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What is regionally significant is the barton springs edwards aquifer, which the states recognize is more vulnerable to pollution than any aquifer in texas, which provides the sole source of drinking water for about 50,000 people and which supports barton springs, the fourth largest spring in texas, and the source of our city.

[00:08:01]

We're here tonight because of the springs.

If the springs weren't here we literally would not be here.

The city was located here because of the springs, just as san marcos was located at san marcos springs, new braunfels at comal springs and san antonio at san marcos and -- excuse me, san felipe and san antonio springs.

These are the regional assets that you need to protect, and I'd point you in closing to a column by someone you might not think I'd research, ben ware our local transportation reporter the statesman, about legacy projects in his column on sunday of april 12.

And he wrote about robert moses, who built most of the transportation projects in new york city, and he said the two greatest legacy moses were the ones that he wasn't that he didn't manage to build and cram down the throats of the community.

The lower manhattan expressway and the midtown expressway, which would have destroyed much of what of what people know and love about central manhattan.

And then he analogized that to the crosstown freeways, that the chamber, enrique and nos folks insisted that if well didn't pave out 15th street as a major crosstown highway, our economy would be ruined.

If we didn't build koenig lane as a crosstown highway, that that would hurt our economy, and mean that we couldn't grow.

And of course I don't think there's a person here today who thinks that had those projects been built we would be a better or healthier city today having not built

[00:10:00]

them.

45 Southwest is the same kind of legacy project.

This project will speak volumes about austin as a city that really is committed to sustainability and healthy, clean, reliable water for the region by not building it, and that it's not just a slogan or a sales pitch that we use to encourage companies to move here, that we're clean and green and committed to the environment.

45 Should stay out of the plan, and I invite you to not just keep it out of the plan but let's work to educate our neighbors in this region to show them that we're committed to meeting regional transportation needs in a different way that is sustainable and that is affordable and that addresses the legitimate concerns that are in southern travis and northern hays county.

Thank you.

[Applause] I think it's roy whaley?

I know I saw you.

Is elizabeth walsh here?

No elizabeth?

Mary holder?

No mary?

Roy, you have three minutes.

>> I thought I had someone donating time.

>> Cole: okay.

You have six minutes.

>> Howdy, you all, roy whaley, vice chair austin sierra club.

Speaking in that capacity this evening, I'm tired, you're tired, we're all tired.

So let me put it simply, no 45, no 45, no 45.

Keep sh-45 completely out of this plan.

We've been planning on

[00:12:02]

shifting our transportation priorities to rail.

I feel that if we put in 45, not only do we do the damage to the qiive and to the -- aquifer and the environment as craig bunch and melton said, but we undermine our plan to move to a different form of transportation.

We're looking at the lone star rail.

If we put that highway in, then what is the incentive to drive over to the park and ride and bring ourselves -- bring people in by rail?

So let's go ahead and fulfill that part of our plan also so that we bring people in with the alternative transportation that we're planning on.

As to the growth nodes, we want our friends in oak hill to have the services that they need.

What we don't need is more people aquifer, so let's not increase the growth nodes as they were planned.

Let's keep that impact as low as possible.

Give people that walkability and the services that they need right there.

We've already talked about the other roads that can be expanded.

We've talked about the 381 carst features that will be paved over.

Let's talk a little bit about our other plan, our other goal, which is to add to our open space and our water quality land.

We put it in this highway, what we're doing, this is the sprawl highway, and we drive more sprawl into these areas, we increase property values in these areas, we make it more difficult for us to be able to afford to buy these lands for water quality purposes or get them either through fee simple or

[00:14:01]

conservation easement, whatever works, but we will be undermining, once again, our goals, and that's to be able to afford to buy these lands.

Say no to sh-45.

There are a lot of things to like about the plan.

There are a lot of things to not like about the plan.

We can pick it apart one way or the other.

We're not here to talk about that.

Very specifically, we believe that certain aspects of it.

Density in and of itself does not mean affordable.

We have to work as a city on affordability.

We can't continue to have the illusion of affordability by driving outside of Austin and then having to come in and have that added expense all the time.

So what's the message that you take away from this evening?

No 45, there you go.

[Laughter] No sh-45, no additional population over the sensitive parts of our aquifer.

Thank you very much.

I'm going to go sit down now.

Fine.

[Applause]

>> Cole: Thank you, Roy.

Jonathan Oakland?

Jonathan?

Carry smith, are you --

>> yes.

>> Cole: -- harry?

Kerry has donated time so you have a total of six months.

>> Great.

Thank you.

My name is jonathan ogren I was a member of the citizen advisory task force.

Mayor pro tem cole first i want to thank you for appointing me.

I was happy about that about 70% of the time.

[Laughter] secondly I want to thank you for one of the early meetings we had.

When the citizen advisory task force started meeting there was a lot of bickering, a lot of critiquing, a little bit like what has gone on tonight, and what you came to us and said is we can break apart anything, we can find things to break down but what you need to do is come together as a group and find out what a vision could be for austin.

Thank you very much.

[00:16:00]

I think a lot -- you touched a lot of members, and we moved forward with that idea.

for a lot longer time, too, right?

>> That's right.

The one thing where I see the plan, I don't see it as determining what our future is, but I see it as something that prepares us for our future.

It's a foundation.

All the questions, there's a number of questions, there's a number of issues.

Of course no plan, no matter how many pages it has in it, are going to answer all the problems we have coming forward, but ideally this gives us a foundation to which we can address some of those issues.

I want to talk about a couple things that I really liked about the plan.

One really specific thing, chapter 5, an action item under compact and connected.

We're going to begin tracking capital expenditures geographically.

To me that's a big deal, so when we come back to this in five years we'll be able to say we've spent this much money on roads in this area, this much money in this area watershed for water quality issues.

So when we're evaluating this plan in five years we'll have a lot of things we can talk about, and we can talk about them with numbers, dollars associated with them.

The vision statement as a whole is inspiring to me.

I feel incredibly inspired by it.

It's something people can read, children visiting austin, people coming to austin to visit and they can be inspired by the vision statement.

I'm a data guy.

I make maps for a living.

I love appendix b.

[Laughter] the growth concept map, I'll agree it's not the best map in the world but within a appendix b there's a lot of data in there and moving 1, 5, we'll have a lot of data there that's going to move forward.

I'd like to thank all staff for taking ideas that scooter cheatum and I pushed quite a bit and taking it and moving it a step further.

I think it still has a long way to go but it's moving forward, and council member morrison, I think you're

[00:18:00]

kind of mid course correction or late correction was incredibly valuable.

It did give us a lot more work, but I think it brought us to a point where you have a plan in front of you, not a perfect plan but one that we can really work from.

Things I was impressed by, i was impressed by the security and local food movement to get their language in the plan.

There was a number of us trying to get that.

We didn't get it quite right and they made sure they got it in in the end.

I've been incredibly impressed by ansi's ability to advocate for themselves in this process and they're not totally satisfied with the plan but they've done a lot to improve the plan and get their information in there.

I was impressed by planning commission's ability to go through comment by comment each individual public comment and look at it and evaluate it to the growth concept map and then make changes to the growth concept map according to that.

I want to address that map really quick.

Someone referenced fritz steiner about the map.

Fritz is not totally happy with this plan but as you all know, a few of you -- i visited you with fritz steiner and he thinks we need this plan.

He thinks we need the map in the plan.

While it is not the perfect plan, it is a plan for austin to move forward on, so I just want to correct any idea that fritz steiner was not advocating for this plan.

And he was in turkey or he would be here tonight and I'm sure he would be saying the same thing.

I'm impressed with the people that worked on this plan as has been mentioned a lot of times tonight, a lot of people put a lot of hours into this.

One other quote, or it's really a paraphrase.

Dave sullivan said I'm not happy with everything in this plan, but I know it was made by democratic process and it should move forward, and I would agree with that as well.

The final thing I want to state is about highway 45 southwest and I think sara

[00:20:00]

for us, bill bunch, roy whaley, bruce mountain have all addressed most of the issues.

There's a lot of data out there.

It really says that highway 45 doesn't make sense for us, doesn't make sense from an environmental perspective, doesn't make sense from an economic perspective, doesn't make any sense from a cultural perspective.

One set of numbers I want to make sure that you all know.

These are campo numbers.

It was a study done in 2007.

I don't believe a transportation study is done specifically for brodie lane since 2007 associated with sh-45 southwest, but it said in 2007, the 2005 counts for brodie lane, 9,550 car counts per day.

If sh-southwest was built with toll brodie lane in 2030 would be 20,000 car counts per day.

If it was built toll-free it would be 17,000 car counts per day.

So that's essentially a doubling by 2030.

So what that's saying is we'll throw tens of millions of dollars at this as a suggested solution for the problem for brodie lane and it does nothing to fix it.

It's a bad idea.

Finally I want to address one more issue that was mentioned a number of times, are we consistent with the campo 2035 plan, and I hope most of you all have gotten a memo.

jonathan, go ahead and finish your -- I have a question that you address -- address what you think about the consistency with the campo 2035 plan.

>> Talking to board members as well as staff, this is, as a conceptual plan, consistent with 2035 plan.

There's obviously differences when you're looking at a larger region as compared to a city, but talking to all of them, they suggested this is consistent.

There will be small differences, but there's no municipality plan that would line up one for one in consistency.

thank you, jonathan.

>> Thank you for your time.

[00:22:02]

>> Cole: david orslick.

[Applause] you have three minutes, david.

>> I'm david orshallic.

Thank you for your time tonight.

I'm a citizen of austin and I'm worried about imagine austin.

In my opinion the imagine austin comprehensive plan represents a dangerous pig in a poke and here's why.

The fox has been put in charge of the hen house, in other words, city staff has managed we the people.

And as a result the rubber band effect has occurred.

Any inconvenient inputs and changes snap back to staff's baseline plan.

This plan is internally inconsistent.

The citizens advisory task force wrote the vision statement and city staff wrote the rest of the plan.

That's why the vision statement is buried in the comprehensive plan.

Imagine austin would be the first comprehensive plan to be adopted since changes by the citizens of austin in 1985 to article 10 of the city charter.

Article 10 mandates that the land development code be changed to agree with the comprehensive plan, so I can imagine a day when city staff will be standing before you and saying, we need to make these changes to the land development code and you'll say, or -- or your successors will say, but why?

And they'll say this is what the comprehensive plan says, imagine austin.

And you will say, but that's not the way I'm reading it, and they'll say, but that's what it says, because they will be the arbiters of what the comprehensive plan says.

That's why it's so dangerous to adopt this plan without finding out in advance what changes need to be made to the land development code so I'm requesting that you require that the city manager do a gap analysis, so city staff has to tell us

[00:24:00]

in advance of adopting this comprehensive plan what changes will have to be made to the land development code so we know what it actually says, because there are a lot of words in there that i just don't understand, and as we've already seen tonight when greg guernsey or another member of staff gets before you and says, this is the way we interpret it, I think that their opinion is what's going to hold sway.

We don't need to give city staff carte blanche, a blank check to rewrite the land development code because they get to tell us what imagine austin is saying.

Thank you.

[Applause]

>> vickie goodwin?

Vickie goodwin?

Vickie halpin?

Following becky is steve beers.

You have three minutes.

Signed up neutral.

>> Good evening, council.

My name is becky halpin.

In 20 years I think we'll look back at all the things we talked about regarding imagine austin's connectivity, density, new urbanism and go, golly, you know what?

It was really about water.

The city's prosperity will depend on having enough clean water for the city to flourish.

The writing is on the wall and yesterday's austin american-statesman, we learned that the average temperature in texas has increased about two and a half degrees since 1970.

Heat combined with drought will drastically change the availability of water in our area.

More than any other thing every piece of the plan should support development that respects water quality so we can keep every bit of water available to us clean.

[00:26:02]

Specifically, specifically i hope you wil adopt the planning commission recommendations that the nodes in the environmentally sensitive area be unspecified in size and allowed to develop with special attention to water quality needs and water quality issues.

Also, highway 45 southwest goes through a very critical water quality area, I guess you've heard about that.

And in the long run I think our city will reap much greater benefits from keeping the water quality strong than it will be -- than we will reap from building that roadway, and also the development that that roadway will drive, no pun intended.

And lastly and specifically, the oak hill density node in imagine austin plan is a perfect example of where you're going to have differences between the neighborhood plan and the imagine austin plan.

The neighborhood plan, even though it's sort of unspecified as to the type, whether it's a town center or not because -- and it's also white on the flum, it's pretty unspecified, but it's specified as to where it is, and it's more or less in the y.

In the imagine austin plan that density node blurnlgs way over on to old convict hill road, incorporates a large portion of williamson creek and the floodplain.

So when somebody with project along old convict hill wants to develop it and looks at the imagine austin plan and says, hey, I'm part of the town center, or whatever it is, the density node, that they're not part of the density node according to the oak hill neighborhood plan, and it's just a perfect example of where those two plans clyde, and they also -- collide, and they also collide with water quality.

So I hope that you will incorporate all of the

[00:28:01]

planning commission's recommendations into the final plan.

Thank you very much.

vickie, I just have a couple of comments.

You're the -- not the first person tonight to talk about water quantity and what a crisis it is.

I just want to throw out some numbers for you.

Last year hottest year on record, in the austin area, probably in the state of texas, the city of austin plus all of the other municipal users in the entire colorado basin used a little less than 200,000 acre-feet of water, so in addition to that about 200,000 acre-feet were lost through evaporation, and 400,000 acre-feet were released downstream for agricultural uses.

So all of that and we still had about 800,000 acre-feet left.

This year there's no plan to send that 400,000 acre-feet downstream.

So I don't know, maybe you're new to austin, but in my lifetime, without all of that I have seen lake travis lower than it was last summer, without the 400,000 acre-feet going downstream.

So droughts are nothing new to texas, they're nothing new to austin.

Just a little perspective.

>> Well, I hope yo right.

steve beers?

And next is roger baker.

>> Well, I think -- I think I have a bit of indecision about this plan.

I'll make an analogy with brad.

A half a loaf is better than

[00:30:01]

none, so I really hope it's a half a loaf, but a half-baked loaf of bread is unpalatable.

So I guess mark me as neutral.

I listened intently to the congress for new urbanism representative.

They favored dense mixed use walkable and transit-oriented development.

Besides new urbanism, we have the concept of smart growth, which is steering growth away from environmentally sensitive areas, like the edwards aquifer.

Well, smart growth has been our policy since before 2,000, and what I have -- 2000, and what I have up on the screen here from the american-statesman, it's based on the u.s. census.

How well has new urbanism and smart growth been working?

And mind you, I favor these things.

What you see is that yellow stain all over central austin are all the census tracts that lost population.

I think that's incredible because on almost every block you see redevelopment and construction.

So I think what has happened is a change in the demographics where if you bulldoze a bungalow that has five people in it and then replace it with four condominium or townhouse units, you can have more units but less people.

So I would say that going forward affordability, special attention to affordability is a key point of smart growth, which I hope you pay special attention to, because I've heard so many times that any unit that you put in central Austin is one that doesn't sprawl over the aquifer.

It's like all this suggests to me is a churning where people in the center are displaced and the city

[00:32:02]

sprawls just as much.

It may sprawl more east than west because it's a lower demographic but it sprawls nonetheless.

The next.

Yeah.

One thing I wondered is, well, is this just naturally aging neighborhoods?

Well, but kids aren't moving into these areas either.

I thought maybe people were getting older, people were leaving the house, but this shows people under 18, they're declining too.

Next.

You can't read that very well, but it's about a new study that looks at the national transportation survey.

It's one of the most comprehensive ever, and as the headline says, does more density necessarily equal less driving?

Next.

Well, what you actually see is that you have to make -- have densities -- it says here vmt, that is vehicle miles traveled, really only declines at the highest housing density.

Steve, your time has expired.

Thank you.

Roger baker?

And roger, you have three minutes, signed up neutral.

[Applause] and next is lexi schoolie.

>> Hi there.

I am a strong environmentalist, and I'm glad to see that this plan does exclude sh-45.

That's one of the good things about this plan.

I believe that sh-45 is very environmentally destructive because it goes over major recharge features that haven't been studied lately and that affect the sole source aquifer, that's a sole source of drinking water for thousands of people.

[00:34:00]

No matter what there is in the lake, we're talking about an aquifer that supplies a lot of people in that area and that needs to be preserved.

And furthermore, I think that th-45 is really -- sh-45 is really a bailout for people in hays county that, you know, are future residents who don't even exist in large part that would like that so they could evade city taxes and get into austin, which is not what a compact city is all about anyway.

I think that folks -- I go back a long way, and I saw the austin tomorrow plan, which was a very progressive city-oriented plan, and, you know, the big problem with these plans is they're subject to lobbying, like you've heard.

You know the hays county guy and the chamber of commerce coming tonight, even before the plan is adopted, to try to chip away and undercut at some of the environmental features of this plan, sh-45 in particular.

So I think that one of the problems with this plan -- with these plans in general is that the special interests and developers come and try to, you know, make the plans maximize growth.

I think we ought to slow down growth.

I think that there's no economy of scale in growth in the size of city that we have, and that's why we see all these utility rate increases and so forth.

I think that we need to be environmentally sensitive.

I think we need to be sensitive to, you know, the existing residents and come up with plans that benefit the people who are here now and not future residents, and particularly residents outside the city, like in hays county.

So thank you.

[Applause]

[00:36:02]

lexi schoolie?

Next will be andrew hawkins on this side over here.

>> Mayor, mayor pro tem, council, my name is lexi schoolie.

I came here tonight to share my gratitude and appreciation that 45 has been taken out of the plan.

I, like so many others, have been graced with the blessing of having been able to experience in this lifetime the beautiful healing and love of barton springs.

I could speak for hours, days, a lifetime about how barton springs has changed my life.

When I came to austin I fell in love, and that love has filled my life with such purpose and happiness.

I have traveled all over the world and never had I found a place where I would sacrifice everything to just be a part of.

What was it that made austin special?

It wasn't the buildings or how fast I got from point a to point b, the springs, the greenbelt, the water, the trees, the hike and bike trails.

The city was green as far as I could see.

That is our gift.

That is our treasure, our gem, our most rich and valuable resource.

Without it what is austin?

Just another city.

It pains me tonight to hear that someone could even suggest that 45 be built and be put back into the plan.

And for what?

To save time?

To improve the economy, better the city?

Why can't people understand that the environment is what is vital to the vitality and wealth as well as the economic health of this city.

I go to barton springs every day and every day I'm overwhelmed that i haven't -- that I have at this young age can say that I have in this life, without a doubt, found true love.

My soulmate, and she is the most magnificent being that could ever be dreamed of.

My beloved barton springs.

My biggest fear is that one day she will no longer be there and that the one thing that makes this life so bright will be dimmed and blown out.

We talk about growth.

We talk about development.

We talk about improvement.

[00:38:00]

These are all well and good, but these are desires.

What about our lungs, the air we breathe?

At every moment, the water we drink every day that flows through our body at this very moment, the only thing we can't live without.

The sun that grows our food and paints a smile on kids' faces.

These are not only our desires and wants but our needs.

This is -- these things we already have, and I would hope we have enough intelligence and sense to want to preserve and appreciate them so that we can continue to enjoy them in the future.

How can we have our hands so full and yet continue -- and yet continue to grasp for more?

I choose to be grateful and content with the abundance that we have already been showered with, and will not support 45, for it will really hurt what makes the city truly special.

Plea, I beg you, as -- please, I beg you, as a voice for the younger generation, as a voice for austin as a fit city, a beautiful city.

Don't make the mistake of destroying what is the most our environment, our mother earth.

Our sacred barton springs.

[Applause] andrew hawkins.

Castro debarrera.

Veronica.

Following veronica is martin.

>> Good evening, council, good evening, mayor.

I was watching this meeting from the comfort of my home and I had to come here.

And mostly because I've cared very much about the imagine austin plan.

I did not prepare a speech.

So I'm just going to speak from the heart.

And I am showing enormous gratitude for the process because as a latina mother

[00:40:00]

of two young children, i have been thoroughly engaged because I have been able to keep track of the process.

I think it's been extremely democratic.

I think it's been very open.

I think I've been able to voice my opinion, and i fully support the adoption of this plan.

I also would like to commend the city staff because as I've been involved in the community, whether it's planting trees at the school where my children attend or anywhere that I participate in the community, I am originally from mexico and my heart is in austin.

I love austin, and my heart is in mexico and I love mexico.

And our population in austin is growing immensely from the hispanic side and i think I want to speak from that perspective, that austin is a good home for all of us.

And as you know, austin is a sister city of san tillo and gualillo, and when I had the opportunity to translate a simultaneous meeting about our -- because our sister city wanted to learn from austin, because we have a beautiful collaboration with that city, I reached out to city staff and pulled guiseppe and other people on city staff gracefully and very kindly -- told them, walk us

through the process, and the most amazing thing that the people from Mexico were saying was how did you engage the population to give you feedback?

How are you trying to make this democratic?

And so I was able to explain to them how I as a person told my story or have been able to be engaged in this process.

And it was a beautiful collaboration.

They left Austin with a great insight of what a true -- what it's like to give a story, I mean, and to have a community input into a plan.

It's not perfect.

I know we need neighborhoods that are respected.

I know we need water to survive, but I truly believe

[00:42:00]

this is a beautiful starting point that needs to be fully accepted and adopted.

And I'd also like to share a quick story about neighborhoods because I participated in three of the working groups for the Imagine Austin, and what I noticed is that in every conversation we were able to engage with one another.

So even if there were different points of view within the groups, we were able to engage in dialogue and share our sides of the story and come up to a consensus as we share ideas.

So the -- I'm trying to say a lot.

But one of the things I liked to share is I stopped participating in Imagine Austin because I suffered cancer.

I was diagnosed with cancer last year, and it was my neighbors, my immediate neighbors that I knew very well that came to support and helped me survive this difficult chapter.

Thank you.

thank you.

Mark Burra.

[Applause] it's also for and you have three minutes.

>> Good evening, thank you, city council, mayor, mayor pro tem.

City manager, and most importantly I thank all who participated in the imagine austin process.

And I thank you all for endeavoring in this planning process and I participated in the imagine austin process from its inception and like some speakers, i felt like it was treated very respectfully and I felt that many people were able to get their point of view documented through the process.

It was the input of a vast and diverse group of concern citizens.

I'm a local trek.

I mostly practice in east austin.

I studied planning and gis at the university of texas and I also was a founding board member of the central green building

[00:44:00]

council and a former chair of the cherrywood neighborhood planning team.

So I use all of this to participate and also to analyze the plan through the process.

And I mentioned this background because I think it's important to know that people who participated in it were not just citizens but educated, you know, they were austinites through and through.

I fully support the plan, and I feel most importantly because it's inspirational.

It aspires for austin to be something in the future that we can all appreciate.

I think most -- most importantly I think it's inspirational in a couple of areas, multi-modal transit, vertical mixed use, transit oriented development, because I think those types -- that type of density is very democratic, and it provides paths to prosperity.

It develops healthy communities, and through walking communities, through biking communities, we can help to overturn, you know, decades of car-designed communities and with that obesity trend that is really crippling our state.

When I was a young architecture student i traveled latin america and europe, and I went to rome, london, paris, with a backpack and a rail pass.

I was able to visit 17 cities and I used that knowledge to help form -- form my projects.

I thought that each of them really looked towards being something that I learned in those travels, and I was looking at the imagine austin plan and I really

[00:46:00]

felt like it was aspiring to be a more global city, a greater city, a denser city and just as something that true quality of life can be achieved through the plan.

Thank you.

thank you.

[Applause] that's all the speakers that I have signed up that wanted to speak.

So --

>> mayor?

council member riley.

I'll move approval -- move we close the public hearing and approve the plan.

council member riley moves to close the public hearing and approve the planning commission recommendation, second by the mayor pro tem.

And council member morrison.

thank you, mayor.

I fully support that.

It's certainly been a long road, and I want to thank everybody that came down tonight.

You know, insightful and reasoned comments and impassioned comments.

It's been a really long road.

I was thinking back to when I was president of the austin neighborhoods council in 2006, I think it was, and we passed a resolution saying we need a new comprehensive plan, and the stars have aligned and finally after all this work from so many people we are here considering it.

So I think it's an important night.

I do -- I do want to acknowledge the concerns that folks have raised about the plan.

You know, we've heard, is this potato cooked enough, is it half-baked, does the bride need to turn around.

I love all the metaphors that we've heard, and it's a judgment call on our part, but in my view it's not a perfect plan.

It doesn't solve a lot of the challenges that we have.

We have a lot of work to do in front of us, rewriting the land development code is going to be a carefully reasoned public process, no doubt about that.

But I do believe it's time to move forward with this,

[00:48:00]

and I do have -- as I mentioned at some of our work sessions and -- at our work session and transportation plan committee, I have some motions that I wanted to make to amend to address some of the issues that have been raised.

So really, the first one is to address the issue -- a couple of issues we heard about neighborhood plans.

1, that it's important that our neighborhood planning process continue so that the neighborhoods that haven't done neighborhood planning will have that 2, that the imagine austin won't predetermine the outcome of those new neighborhood plans.

They can inform them, but it shouldn't be something that dictates.

So with regard to that I do have -- I'll pass this all down -- the language that I wanted to add on page 200, and that's in chapter 5.

It says "the city should continue the small area, neighborhood corridor and station, planning process for areas without adopted small area plans.

Imagine austin should inform but not predetermine decisions made in future small area plans.

Modifications to the growth concept map may be necessary to respond to the input from future small area plans, and reflect more detailed discussions that can occur with the site-specific "

so that's to take care of that.

Should we do these one at a time?

well, yeah, let's do them one at a time.

Council member riley, do you accept that as friendly?

And -- and I have a couple of questions for council member morrison.

[00:50:01]

One, I think this will supplant an amendment that i was planning on adding that simply said that the new plans will have the same status and function as the existing small area plans.

So -- and I -- I believe that encompasses the language you just put forth.

Do you agree with that?

Do we need to -- I'm thinking of whether we need to add that to here.

I think that the language that I have would be consistent with that, yeah.

[inaudible] mayor pro tem, might I suggest that we just go ahead and deal with council member morrison's and then you introduce yours later?

I don't have an objection.

I don't have an objection.

let me just say -- let me add that language, if that's good, with you.

>> Cole: I think we should.

plus to add on to what I said, the new plans will have the same status and function as existing small-area plans.

all right.

Now tell us what you have.

I have that first language that I read, the city should, et cetera, and I'm adding a sentence to it that says "new plans will have the same status and function as existing small-area plans, parentheses, eg, neighborhood plans.

>> Mayor leffingwell: okay.

Is that acceptable to --

>> riley: yes.

so we combine those.

>> Mayor leffingwell: okay.

So that's incorporated.

And what I want to do is try to maintain an orderly process here so we don't have the problems that we had with the conversational type adopting of amendments willy-nilly like we had with the rate plan.

So what's your next one?

my next one, mayor, is to address the growth concept map.

[00:52:01]

I wanted to expand the description of the growth concept map so that it says not only where growth should go but also where we're trying to keep growth from going, like protecting our environment and protecting our existing neighborhoods, so this is a chapter 4 revision to add to page 99 in the -- at the end of growth concept map definitions language that says the growth concept map not only guides where austin may accommodate new residents and jobs, but also reflects the community intent to direct growth away from environmentally sensitive areas, including but not limited to the recharge and contributing zones of the barton springs segment of the edwards aquifer and to protect the character of neighborhoods by directing growth to areas identified by small area plans.

This intent can be found in the building block policies, and then this lists two existing building block policies that are already in the plan, to protect austin's natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space, and that's lut p 22.

And then the second one, protect neighborhood character by directing growth to areas of change and ensuring contact-sensitive infill in such locations as designated redevelopment areas, corridors and infill sites, and that's h-np 11.

And those already exist.

It's just trying to pull that together.

>> Riley: that's fine.

And if I may, mayor, just ask a question.

Council member morrison, these are -- I believe these are the same amendments that we discussed in the

[00:54:02]

comprehensive planning --

>> morrison: yes, they are.

I'm not sure we took action in the committee but it was generally responsive to concerns we heard in that committee and I think we were all in agreement at the committee at that time.

mayor pro tem, do you accept -- yes, and we discussed -- okay, so that's incorporated also.

and this is -- all of these are actually, and this is to -- to strengthen the concept that the growth concept map is consistent with the neighborhood plans because there was that amazing effort to compare the flum with the neighborhood plan with the growth concept map and make sure we got those aligned properly, and so i wanted to add just a statement to that effect on page 90, in the middle of the paragraph that says, the growth concept map was also compared to and adjusted for consistency with the future land use maps in the adopted neighborhood plans.

council member riley?

Mayor pro tem, okay.

then this set that we've already discussed addresses concerns that were raised that our small businesses weren't really identified as enough of a priority because we know how much of a priority they are in this community and i think wholeheartedly by this council, and so the idea was to actually enhance the name -- the name of the 3, which would be -- right now it says continue to grow austin's economy by investing in our workforce, education systems and entrepreneurs and to add on to that "and local "

council member riley.

And mayor pro tem?

Okay, that's incorporated.

[00:56:02]

>> Morrison: all right.

And then just to add some meat to that, on page 43, to include some information about the importance of local businesses and two lines, one that firms -- identify that firms with fewer than 20 employees accounted for 81% of total growth in business in 2007.

And then the second addition is local businesses contribute three times the economic impact to austin's economy as national merchants according to a 2002 study.

So those are just to beef up the importance that we know.

that's accepted.

yeah, you can pass it down.

And mayor,

mayor pro tem?

I have one other item that is making its way down the dais that has also been through committee and was suggested by some stakeholders and a community activist that's been very active in the comprehensive plan program, and the concern was that it would just be a plan that sat on the shelf and that we needed to immediately start the implementation process and some type of step by step analysis of what that would entail, and that it also needed to specifically include us as policy holders and other staff and city partners, and this language just adds to the plan that we are committed to do that.

all right.

Council member riley?

That's acceptable and incorporated.

>> Riley: yep.

>> Cole: that's it.

that's it.

>> Cole: that's it.

council member morrison?

I do have one more that I did not discuss in committee that I want to offer.

>> Cole: oh, boy.

[00:58:01]

[Laughter] that's what we were waiting for.

well, you know, there's been a lot of discussion about sh-45 and it is not in the planning recommendation and I think that's the right way to go.

We have an appendix, appendix g, that says the following plans are attached to the comprehensive plan, and one of them there is the austin metropolitan area transportation plan, which includes sh-45 southwest.

And another there is the campo 2035 plan, which includes sh-45.

So I wanted to suggest that we consider adding an action that says to ensure consistency between the growth concept map series and regional transportation plans by amending the austin metropolitan area transportation plan to remove sh-45 southwest and requesting its removal from the capital area metropolitan planning organization 2035 regional transportation plan.

[Applause] so I offer that as a friendly amendment.

>> Cole: at 1:15?

Okay.

I will consider that friendly.

you accept that?

>> Riley: I do.

you said no?

>> Riley: no, I do.

>> Cole: he said okay.

Let me just say that I am going to accept this amendment, but I do have concerns that we don't take actions that suggest that we do not want to be regional planners, and just because we don't want something and other areas of the region want something, that they're going to say we don't play ball because of that, because we have to collaborate that, and that's what has made us successful as a central texas region, but there's nothing wrong with asking that something be removed.

And I also sit on the campo board, and it's always a difficult process looking for funding for our transportation needs, which doesn't just include roads.

It oftentimes includes bike planning and many other things.

So we have to be careful to protect our interests in all those areas.

mayor, if i may?

council member morrison.

I certainly respect the importance of doing this correctly, and i think that this can help us have the fuller conversation that needs to be had and maybe even among ourselves in terms of working with you all who are representing us on campo, so I appreciate that.

>> Cole: oh, and mayor?

mayor pro tem.

I also want to recognize some of the comments that were made earlier and that we do have a definite challenge in south austin with traffic, and we are not immune to that, and one of the solutions to that is definitely the lone star rail that I sit on the board of, and there are other traffic solutions that we are working on.

So even when we make this request and put it in our plan, it doesn't mean that we are abandoning the people that live in those areas and concern for the transportation issue.

i guess I would like to ask a couple of questions, maybe legal questions.

How much force and effect does this have with regard to sh-45 southwest, requesting that it be removed from the campo 2035 plan?

There are four council members who are on the campo board.

Is this -- this directing the council officially to request that removal?

>> Chad shaw, law department, and I have to admit that I am not as familiar with the campo plan as I would like to be to have this discussion, but at the same time, and staff may help me with this a bit, my understanding is that these are action items to move forward on, and so -- and I'll look to garner to make sure that I understand that correctly.

So at this point this would be one of many items that i think council would be asking to pursue.

Of course you can always go back and amend any of this.

So -- excuse me.

So if things changed in the future you always have the ability to revisit this and I imagine there will be quite a few discussions about thisment but I think, again, this is just one of many things going forward that you would be asking staff to pursue, and there would be a lot more discussion about it.

i guess my question is a little more specific.

Does this constitute an official request from the city of austin to the campo policy board to remove sh-45 southwest from the plan?

>> I read this to require additional action.

I read this to say that this is going to be something you -- as I was trying to express before -- that you pursue in the future, but this is part of your laundry list of things you would like to get to.

so the answer is -- the answer is no?

>> Exactly.

it does not constitute --

>> to try not to follow in the comments -- [inaudible] city of austin.

>> The simple answer to your question is no, this does not do it -- or any obligation for austin city council members who are also members of the campo policy board that support this.

>> I don't read it to do that, mayor.

one other question, and I don't know if there's a good answer, but given that there will be inconsistencies if this item passes tonight, between campo plan, 2035 plan, and the austin transportation plan and the imagine austin plan, does that have any impact on the city of austin's eligibility or state or federal -- for state or federal highway funds?

>> I have to say that is outside my area of expertise, mayor.

so can you recommend anyone who might be here tonight who could comment on that?

guernsey is looking for that person right now.

i guess the question is can you assure us that this would have no impact our --

>> [inaudible] transportation department.

I would believe that the statement tonight would only show the intent of council to seek a change with the regional plan.

It does not put you into conflict with the regional plan.

this does not put us in conflict with the regional plan?

>> As I interpret it, you're asking to change the regional plan -- the regional campo 2035 plan, so it doesn't technically put you into conflict with it.

That's what I would read.

Assuming that the 2035 plan does not change, which it likely will not, and we have -- we have this inconsistency between our transportation plan and the campo 2 plan, does that impact our eligibility for federal or state funds?

>> I believe only if your fellow campo board members decide to enforce that element of the regional plan, the campo 2035 [inaudible] plan.

but it could in that case?

>> There is a statement as i understand it in the 2035 plan that would allow campo to make that decision, but they have never done that of about.

they haven't done it so far?

>> They have not, sir.

>> Mayor leffingwell: okay.

Thank you.

Well, let me just say that that's very troubling to me that we might be wanting to put ourselves in that position with regard to eligibility for future federal funding over an item which is 45 southwest, which we have no -- we have no part in the decision of whether or not to build that road.

That's a county road.

That decision will be made by the travis county commissioners court and the hays county commissioners court, not by the city of austin.

So we can conclude in our plan -- and I'm going to support the motion, but i have a lot -- I have some serious concerns about -- about putting ourselves at odds with the 2035 campo plan.

And given the fact that we've been assured that this is not an official conflict at this point, I can support the plan, but I think going forward if we do memorialize some kind of conflict between our transportation plan and the 2035 plan, that would be the time to take another look at this.

>> Mayor?

council member martinez.

briefly, i think looking at it from the other perspective is it wouldn't have made sh-45 an absolute for sure item either had we put it in the plan, so I don't know that leaving it out and taking this [inaudible] position puts us in conflict.

I think it just has us making a statement, but it there are concerns -- the way I interpret staff's response to us is these motions are action items to be taken by this body moving forward.

This is a comprehensive plan.

If there is action that the council should contemplate, it will come back to us and we'll have to take action on it.

Well-b well-b eing I think that's what i just said.

Given the fact -- it actually was -- given the future action item -- it's a plan, it's not an action, but just to respond to your other comment, the fact that it's as a plan does constitute, if it were permanently in our planning process, and not in the campo 2035 plan, that would be an inconsistency.

It doesn't matter, the act of omission makes it inconsistent.

>> Martinez: thank you.

I just wanted to get the last word.

>> Mayor leffingwell: okay.

[Laughter] I think you just did.

>> Martinez: yep.

[Laughter] is there any further discussion on this?

[Laughter] i think I will get the last word when we adjourn.

[Laughter]

>> cole: mayor?

mayor pro tem.

I want to take this opportunity to thank the professional staff of garner and greg guernsey and jerry and sue and all the people that have been so active in working with the stakeholders, the advisory committee, the comp.

Planning and transportation committee, and I remember distinctly a few years ago, a couple years ago when i thought that this was absolutely not necessarily and the city manager assured me that it was absolutely necessary from the cities that he had serve in, and i still didn't believe him and I went to mayor leffingwell and said, I don't think this is necessary, and he pointed out the other plans that i had thought was necessary, so it would just be inconsistent to not be in support.

>> Mayor leffingwell: I did?

>> Cole: yeah, you did.

[Laughter] and so over this time period I've learn a lot about how necessary it is and that austin really is not just a city with particular interests of business interests and environmental interests and neighborhood interests, but we are one city trying to form a vision to move ahead, and this is our plan to do it.

And it's not perfect, and it's going to take some massaging and many of the stakeholders that were actively involved, Dave Sullivan, our planning commission chair, is here, and I'm understanding that he may not be serving in that position very long, so Dave, why don't you take a stand just for a second so we can say thank you to you for all your hard work.

[Cheers and applause] thank you, mayor.

>> Mayor Leffingwell: okay.

Any other comments?

Council member Tovo.

It's late and I know we're all -- we've all been here all day so I'll make it very short.

I wanted to add my thanks also to the staff and to the citizens advisory task force members, several of whom I know have been here all day and are here yet, to chair Dave Sullivan, who we just acknowledged and all the other planning commissioners who worked on it and also the thousands of Austinites who have provided input and have engaged throughout this process.

I went on the planning commission at the very -- you know, at an early stage of this and had the experience of participating in lots of the chip exercises and some of the other activities, and so, you know, it's really a delight to be here today on council when it's finally completed.

And as several of you have said it's not a perfect plan but it's an aspirational plan and I think it points us forward in a direction toward building communities and neighborhoods throughout our city that really are -- that are connected, that are complete communities where people can live closer to where they work, where they shop, and I really am excited about the potential, but we certainly have much work ahead of us to make sure that we implement some of these goals, especially those -- the ones I guess I'm most excited about are those with regard to affordable housing and some of the other issues.

So thanks again to all of those of you here.

I appreciate the concerns that have been raised tonight and I hope you feel that the amendments that were made were responsive to them.

And I'm excited about moving forward, again, with the community.

City manager?

>> Thank you, mayor.

I too want to join in adding my thanks to everyone that's been involved in this effort.

It's been a long process, obviously.

I certainly want to thank the planning commission and the task force and this council as well, and all of the austinites, the thousands that participated in the course of these past two years.

I certainly want to single out my staff, greg guernsey and garner and sue edwards and I understand in terms of city staff there were over 300 city staff that were involved the past couple of years working to help get us to where we are tonight, and I obviously want to acknowledge the council as well, the mayor and the council members for all of their hard work, and I'm going to do something that i don't normally do and that is especially acknowledge council member morrison, who I've had many, many conversations with about -- about this, and she was really one of the first who focused and stayed focused on this effort throughout the entire process.

So a special thank you to you as well.

So thank you all very much.

[Applause] council member riley.

I just want to add my own note of thanks to everybody who's been involved with this process, from the citizens advisory task force to the planning commission, to all the staff, all the folks in the community who have contributed to this process over the past couple years.

It has been an enormous undertaking, and clearly there is plenty of stuff in here that -- to like and some -- and there's going to be things in here that some people may not be so wild about.

Like all good plans there will be something that everybody can find to criticize about it.

I myself had some reservations.

One concern I had was about making -- about whether it would position us to continue forward progress to achieve the full vision of the plan.

There was some language in there about how we can achieve all our goals while retaining the current protection -- while retaining all the provisions of the current land development code.

I went back and looked at that and actually watched the planning commission's discussion on that and visited with planning commissioners and others about it and realized the thought that had gone into that involved a lot of understanding, that, in fact, both the land development code - the land development code is a living document and will always need to be adapting, especially to achieve the goals set out here.

The fact the planning commissioner who added that language I was concerned about pointed to two different definitions of the word retain, when she said retain protection.

She said there's retain as in keep and retain as in keep in mind.

So she understood that we're all going to have to make some adaptations and this will be a continuing process in order to make sure that we can actually achieve all of the goals set out in the plan.

We are embarking -- we are continuing on that journey, and so there will be ongoing efforts to make sure the plan gets fully implemented and that all the unnecessary adjustments to the land development code and other code provisions are made to make sure that we achieve everything that is set out there.

But I'm so confident based on everything I've seen in this process in the ability of our community to work together to achieve collective goals.

I think it's testament to the civic spirit that we have here in Austin, and makes me proud of our community to see this kind of process in action, and again, so I just want to thank everybody who's been involved.

[Applause] all in favor of the motion say aye.

>> Aye.

>> Mayor Leffingwell: aye.

Greg?

>> I just want to clarify -- [applause] I just want to clarify, we do have an ordinance so this is ready for all three readings this evening.

the motion was to close the public hearing and approve on all three readings.

All opposed say no.

Passes on a vote of 7-0.

[Applause] that completes our agenda for tonight, so without objection we're adjourned at 1:17 a.m.